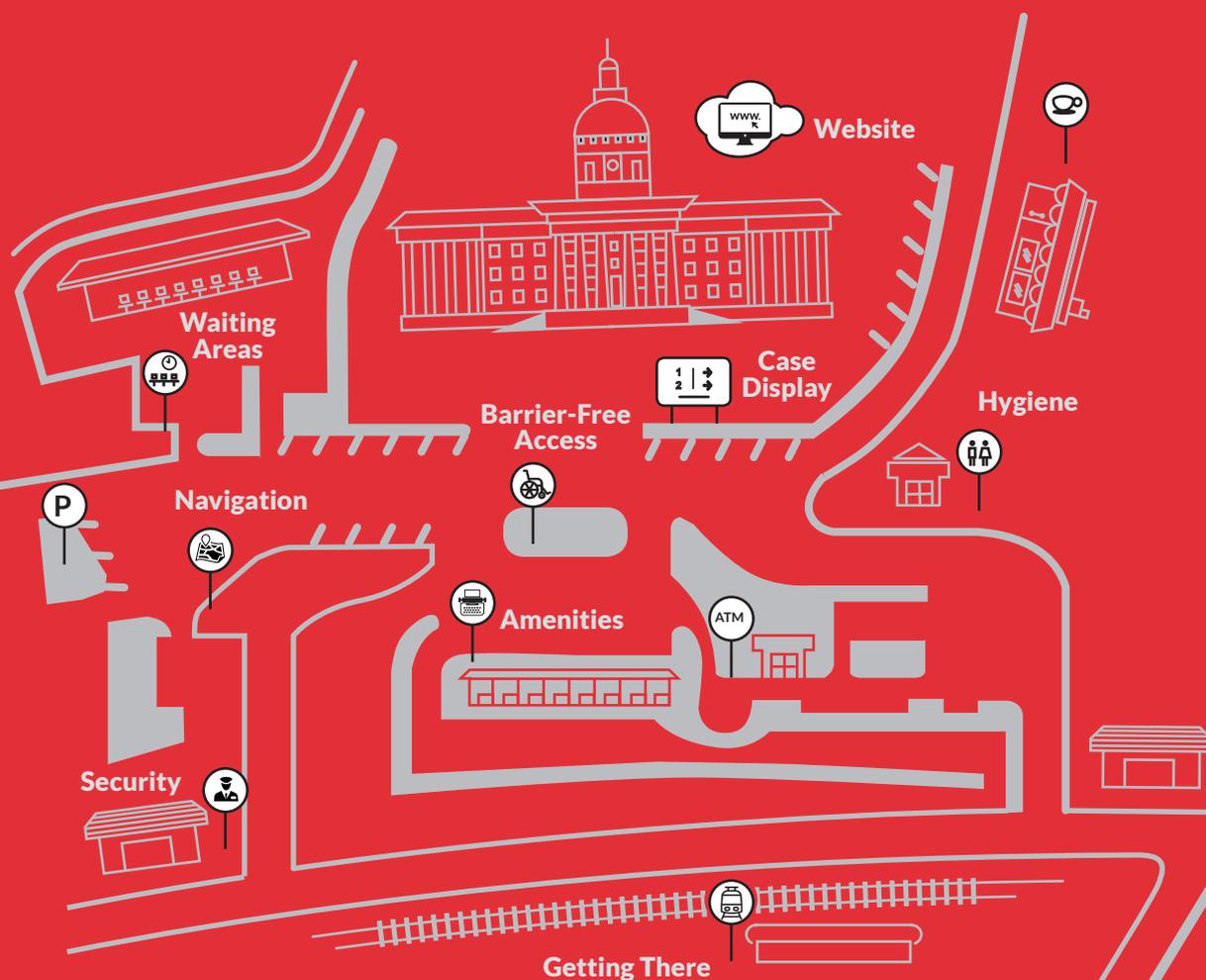


Building Better Courts Surveying the Infrastructure of India's District Courts



August, 2019

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JALDI Justice, Access &
Lowering Delays in India

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Building Better Courts **Surveying the Infrastructure of India's District Courts**

August, 2019

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Table of Contents

List of Abbreviations	2
List of Figures	3
Acknowledgments	4
About the Authors	5
Executive Summary	6
Chapter 1: Background and Context	10
I. Link Between Infrastructure and Access to Justice	10
II. National Court Management Systems Baseline Report	12
III. Universal Design Principles	12
IV. Previous Work	14
Chapter 2: Methodology	15
I. Survey and Data Collection	15
II. Data Entry and Analysis	18
III. Scoring System	19
IV. Limitations of the Study	19
V. Disclaimers	21
Chapter 3: Findings from the Survey	22
I. Getting There	22
II. Navigation	24
III. Waiting Areas	25
IV. Hygiene	27
V. Barrier-Free Access	29
VI. Case Display	30
VII. Amenities	32
VIII. Security	33
IX. Website	35
X. States Overview	37
Chapter 4: Policy Recommendations	41
Annexure 1: Survey of Physical Infrastructure of District Courts in India-2018	42
Annexure 2: Survey of Physical Infrastructure of District Courts in India - 2018 - Litigant Module.....	47
Annexure 3: Explanations on Parameters and Sub-Themes.....	49
Annexure 4: Overview of States and Their District-Wise Performance Against Each Reporting Parameter.....	51

List of Abbreviations

Centrally Sponsored Scheme	CSS
Department of Justice.....	DoJ
National Building Code.....	NBC
National Court Management Systems Committee	NCMS
National Capital Region.....	NCR
National Capital Territory.....	NCT
National Judicial Data Grid	NJDG
Union Territory.....	UT

List of Figures

Fig. 1: District Court Complexes Surveyed	16
Fig. 2: Age and Gender Distribution of Litigants Interviewed	17
Fig. 3: Education Level of Litigants Interviewed	18
Fig. 4: How Litigants Traveled to Court	23
Fig. 5: Getting There: Ranking.....	23
Fig. 6: Navigation: Ranking	24
Fig. 7: Who Guided Litigants Around Court Complex.....	25
Fig. 8: Waiting Areas: Ranking.....	26
Fig. 9: Are There Well-equipped Waiting Areas?	26
Fig. 10: Litigants' Suggestions to Improve Waiting Areas.....	27
Fig. 11: Are There Clean, Fully Functioning Washrooms?.....	27
Fig. 12: Hygiene: Ranking.....	28
Fig. 13: Litigants' Suggestions to Improve Hygiene.....	28
Fig. 14: Barrier-Free Access: Ranking.....	29
Fig. 15: Case Display: Ranking.....	31
Fig. 16: Litigants Were Notified of Their Cases Via.....	32
Fig. 17: What Services are Available in Court Complex?.....	32
Fig. 18: Amenities: Ranking.....	33
Fig. 19: Security: Ranking.....	35
Fig. 20: Is the Court Website Informative and Useful?	36
Fig. 21: Website: Ranking.....	37
Fig. 22: Overall Ranking.....	38
Fig. 23: India: State Comparison	39

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Errors, if any, in the report are the authors’ alone.

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This report is an independent, non-commissioned study undertaken by the Vidhi Centre for Legal Policy, an independent think-tank doing legal research to make better laws and improve governance for the public good.

Executive Summary

This report investigates the link between access to justice and judicial infrastructure by qualitatively assessing 665 district court complexes across India based on the guidelines issued by the Supreme Court in 2012.

In 2012, the National Court Management Systems (NCMS) Committee was set up with the aim of upgrading court management systems, by the Chief Justice of India in consultation with the Minister of Law and Justice. In its report ('baseline report' or "NCMS report"), NCMS noted the link between deficient infrastructural facilities and the mounting arrears and delays in the judiciary. To address this, it laid down key benchmarks and a framework for minimum standards that court complexes must follow to enhance the user-friendliness of the judicial system. Till date, this remains the only authoritative source of infrastructure benchmarks for Indian courts.

Using these benchmarks, Vidhi conceived a survey focussing on the physical and digital aspects of court infrastructure. This survey was designed from the perspective of services and facilities available to a litigant/general public accessing district court complexes. It does not consider aspects of the infrastructure that are not accessible to litigants, such as judicial chambers or filing rooms. Altogether, 665 district court complexes across the country were surveyed. The survey was supplemented with interviews from litigants to understand the user experience while accessing court spaces. A total of 6650 litigants (10 from each district court complex) were selected randomly on-site and their views were sought on the conditions of the available facilities, as well as ways in which the user experience of visiting that court complex could be improved.

Based on the data collected, nine parameters were formulated to understand the state of infrastructure of every district court complex surveyed. These parameters were identified as: Getting There, Navigation, Waiting Areas, Hygiene, Barrier-Free Access, Case Display, Security, Amenities and Website. Below, we highlight some of the key findings from our study. Districts were scored on each of the nine parameters surveyed, taking into consideration only objective observations made by the field researcher.

The interviews of litigants were not included in the scoring. The district scores were then aggregated to obtain state scores.

This data has been used to generate state-wise reports along with this national report. The data has been housed at <http://data.vidhilegalpolicy.in/survey/About.html>.

Key Findings

665 district court complexes were surveyed altogether. Some of the key findings for every parameter are listed below:

I. Getting There

- The NCMS report recommends that court complexes should be located in areas that are accessible by public transport, and should have adequate parking facilities.
- 81% or 539 court complexes are accessible via public transport, whereas 80% or 532 of the court complexes have designated parking.
- Of the litigants interviewed, the majority (53%) used public transport, while 43% used private transport to get to the court complex. 4% walked to the court complex.
- The largest number of court complexes inaccessible by public transport were found in the states of Gujarat, Sikkim and Tripura.

II. Navigation

- The NCMS report recommends that there should be a guide map, a reception centre along with a facilitation centre, and a document filing counter at the entrance of the complex.
- The survey was restricted to examining whether each court complex had two features, i.e., a guide map and a help desk.
- Only 20% district courts (133 out of 665 court

complexes) had guidemaps and 45% (300 out of 665 court complexes) had helpdesks. In aggregate, West Bengal and Sikkim were among the worst-performing states on this parameter.

- In order to move around the court complex, litigants were rarely able to find their way themselves, and mostly asked lawyers for directions (59% or 3935 litigants).

III. Waiting Areas

- A waiting area is a room or space within a court complex that is designated for litigants waiting for their case to be called, or members of the public generally. The NCMS report says every district court complex should have a designated waiting area for the litigants and general public. Despite being a basic requirement, only 54% or 361 district court complexes had designated waiting areas.
- Bihar and Rajasthan had the least number of court complexes with designated waiting areas.
- Nationally, litigants reported that waiting areas needed more seating (69% or 4602 litigants), better ventilation (37% or 2468 litigants) and better cleanliness (26% or 1734 litigants).

IV. Hygiene

- The presence of adequate, clean and well-equipped washrooms are essential for any public space. The NCMS report prescribes, separate, well-maintained toilets for litigants, visitors and lawyers, segregated by gender.
- In order to determine whether washrooms were well-maintained, the survey asked if there was a washroom for men and women, if it had running water and a provision for regular cleaning.
- While 88% or 585 court complexes had washrooms, only 40% (266 out of 665 court complexes) had washrooms that were fully functioning. Although washrooms should be present on each floor, only 53% (354 out of 665 court complexes) met this requirement.
- Goa, Jharkhand, Uttar Pradesh and Mizoram had the least number of court complexes with functional washrooms. Around 100 district court complexes did not have a washroom for women.

- Litigants were interviewed about the quality of washrooms and ways in which they could be improved. 45% litigants said that running water was the key requirement in washrooms.

V. Barrier-Free Access

- The NCMS report states that court complexes should be easy to access and must incorporate a design that is universal and flexible to meet local needs and conditions.
- To assess whether district court complexes met some of the basic requirements for accessibility, the survey examined the availability of ramps, tactile pavements and braille notices for those with visual impairment, and separate washrooms designated for persons with disabilities.

Delhi and Kerala are among the top performing states while Bihar and Manipur are among the states having the poorest infrastructure.

- Most district court complexes performed poorly on this parameter. Only 27% or 180 court complexes were accessible through ramps and/or lifts, whereas only 11% or 73 court complexes had designated washrooms for persons with disabilities, and only 2% or 13 court complexes had built-in visual aid features.

VI. Case Display

- An electronic case display board provides details of the courtroom number, the sitting judge, and the ongoing case number. The NCMS report recommends there should be an electronic case display board upon entry, and in the waiting areas.
- Only 26% of the court complexes had electronic case display boards both at the entrance and in the waiting areas.

Executive Summary

- None of the court complexes in Andaman and Nicobar Islands, Uttarakhand and Manipur had electronic case display boards at both the entrance and waiting areas.

VII. Amenities

- The NCMS report envisages the creation of a utility block with support services for larger court complexes. The survey narrowed down some of the amenities as most necessary for a litigant during the course of a day while visiting a court, i.e., an ATM, a bank branch, a canteen, first-aid care services, oath commissioners, photocopy facility, a police booth, a post office, public notaries, stamp vendors, and typists. If a court complex had all of these services, it was considered to be a 'full-service' court complex.
- Only 39% of the states in India had full service court complexes. The least-provided facilities included bank branch (65%), post office (63%), and first-aid care (59%), while services such as photocopier (100%), typists (98%) and stamp vendors (97%) were mostly available.

VIII. Security

- The NCMS report states that providing for the safety and security of judges, administrative staff, lawyers, litigants, witnesses, prisoners and under-trials should be a fundamental guiding factor while designing court complexes. The survey looked at three aspects of security, i.e., baggage scanning facility, emergency exit signages, and fire extinguishers.
- Only 11% of the court complexes had a working baggage scanning facility, while 71% had fire extinguishers and 48% had emergency exit signs.
- States that did not have a baggage scanning facility in any of the court complexes were Andhra Pradesh, Bihar, Goa, Manipur, Mizoram, Orissa and Tripura. Andaman and Nicobar Islands, Dadra and Nagar Haveli, Daman and Diu and Lakshadweep also did not have this facility.
- Both fire extinguishers and emergency exit signages were absent in 26.61% of the court complexes.

IX. Website

- NCMS requires court websites to have court

information, provide for a virtual tour of the court, upload cause lists, roster, orders, judgements, certified copies, case states and court fees. The survey asked whether websites had the following basic functionalities: court picture, court map, case status, court orders, cause list, details of judges on leave, calendar, and circulars/notices.

- 89% of the websites uploaded causerlists, case orders and case status. Court Maps (36%) and Judges on Leave (32%) were the least available features.
- States and Union Territories with courts whose websites did not host any of these basic features include Andaman and Nicobar Islands, Arunachal Pradesh and Nagaland. Manipur, Meghalaya, Mizoram and Puducherry followed close behind where the court websites had court pictures and maps, but none of the other features. Notably, most states in the north-east region did not have functional websites for most district courts.
- Only Chandigarh and Delhi had websites for every court complex with all the surveyed features.

X. Overview

- Delhi (90%), Kerala (84%), Meghalaya (75%), Haryana (70%) and Himachal Pradesh (70%) are among the best-performing states in India.
- The district court complexes of Chandigarh (100%) and Lakshadweep (82%) are the best performing among Union Territories.
- States with the poorest overall judicial infrastructure are Bihar (26%), Manipur (29%), Nagaland (29%), West Bengal (30%) and Jharkhand (35%).
- The district court complexes of Andaman & Nicobar Islands (43%) and Puducherry (47%) are the worst performing among Union Territories.

Policy Recommendations

- The goal of the Indian judiciary should be to have world-class court complexes, available to litigants at the lowest level of the court system. This study shows that India has a long way to travel to get to that goal.

- As a first step, this study can be used to identify ways to improve court infrastructure. This survey is particularly useful for enabling the judiciary and state governments make better decisions about budget allocation and prioritising expenditure.
- This study also points to the need for long-term systemic reforms through concerted efforts by multiple stakeholders. For instance, the Supreme Court needs to reconstitute the NCMS, and revise the baseline report in light of new developments in associated fields.
- Given that most court complexes are old, the Department of Justice should conceptualise a scheme for renovation and maintenance of older, existing court complexes, to align with Universal Design principles. These principles, developed in 2011 through the joint effort of architects, academicians and disability rights activists, are design guidelines to enable seamless access to any

building regardless of the age, gender, mobility of a person.

- Citizens and litigants must have a platform to address their grievances. To this end, the Department of Justice can create a platform on the existing Bhuvan-Nyaya Vikas portal to generate feedback loop from users of court complexes. Each district court should set up an infrastructure grievance redressal cell and designate an appropriate authority from the Registry within the court complexes to take address complaints received from litigants and users. The High Courts can oversee the setting up of such grievance redressal cell in every district court under their jurisdiction. The Ministry of Drinking Water and Sanitation can undertake the re-vitalising of the Swachh Nyayalaya project in coordination with the Supreme Court.

For a complete list of recommendations that various stakeholders can undertake, please see Chapter 4.

Chapter 1: Background and Context

I. Link between Infrastructure and Access to Justice

Very little has been written about the relationship between access to justice and court architecture and infrastructure globally, and there is practically no literature regarding this in India.¹ In the last decade or so, some legal scholars have discussed how architecture and courtroom designs are not neutral, apolitical decisions, but are instead intimately bound up with the ideals of justice embedded within the community.² They argue that the design of courtrooms can facilitate or restrict participatory justice in a courtroom.³ One study evaluated court designs on features of security, asking whether they promote reconciliation between different socially hierarchical groups and whether they are equipped to manage the emotions of its users.⁴ Some scholars have also been critical of the chasm between the ideal of constructing courts as spaces open to the public seeking justice, while restricting their access from the “action-areas” of the courtroom, in the interests of ensuring security, increasing efficiency and preventing disruption.⁵

Legal scholarship in India has had limited engagement with building a conceptual understanding of how everyday practices of judging are moulded by space. Rather, the focus on access to justice has predominantly

centred on legal issues of accessibility⁶ through legal aid and relaxing procedural norms to approach courts. As Dr. Aparna Chandra points out, “access to justice” as a concept has been interpreted merely as “access to courtrooms” rather than as a holistic approach that embodies a “perspective that informs all aspects of judicial function including decision making on substantive rights, construction of procedural norms and the administration of judicial set up”.⁷

The link between access to justice and judicial infrastructure has conventionally been viewed through the lens of pendency and vacancy. Thus, discussions on infrastructure have been largely quantitative, that is, on building more courtrooms. While building new courtrooms and residential complexes are important, there is very little emphasis on modernising existing courtrooms and their facilities. Since significant resources have been spent on existing courtrooms, discussions should also help develop strategies to modernise existing courtrooms and equip them with better technology and other infrastructure.

The failure to do so is largely the result of the lack of planning and clearly designated roles of the judiciary and executive to improve court infrastructure.⁸ It is the responsibility of the centre and state governments to grant funds, and solicit requests for proposals for the construction of new court buildings, as well as the maintenance and expansion of existing

¹ Linda Mulcahy, “*Legal Architecture: Justice, Due Process and the place of Law*”, Routledge (2011).

² Norman W. Spaulding, “*The Enclosure of Justice: Courthouse, Architecture, Due Process, and the Dead Metaphor of Trial*”, *Yale Journal of Law and Humanities*, Vol 24, Issue 1 (2012).

³ Linda Mulcahy, “*Architects of Justice: The Politics of Courtroom Design*”, *Social and Legal Studies*, Sage Publications (2007).

⁴ Robert McDougall, “*Designing the Courtroom for the Future*” paper presented at the International Conference on Court Excellence 27-29 January (2016), available at http://www.supremecourt.justice.nsw.gov.au/Documents/Publications/Speeches/2016%20Speeches/McDougall_20160129.pdf, last accessed on 14 June, 2019.

⁵ Norman W. Spaulding, *Supra* note 2.

⁶ Robert McDougall, *Supra* note 4.

⁷ Aparna Chandra, “*Indian Judiciary and Access to Justice: An Appraisal of Approaches*”, Chapter 4, *State of the Indian Judiciary: A Report by Daksh*, ed by Harish Narsappa and Shruti Vidyasagar, Eastern Book Company (2016).

⁸ “*Court Development Planning System (Infrastructure & Budgeting)*”, Report of the Sub-Committee of NCMS Committee, (2012) p. 4.

buildings.⁹ The Department of Justice (DoJ), Ministry of Law and Justice, Government of India, has been implementing the Centrally Sponsored Scheme (CSS)¹⁰ for Development of Infrastructure Facilities for the judiciary since 1993-94 for the construction of court buildings and residential accommodation of judicial officers/ judges covering district and subordinate courts. While the scheme allows for new construction and upgradation, it does not appear to allow for routine maintenance or upkeep.¹¹ Central assistance to states and union territories (UTs) is restricted to the budgetary provision available under the scheme during the financial year. However, the states/UTs are free to spend additional amounts as per their requirement from their own resources.¹² The states/UTs receive the funds in two equal shares during the financial year, and must request for grants based on the Action Plan developed for construction of court buildings and residential accommodation and submit utilisation certificates for previous grants released. The norms specified for the sizes of court halls and office rooms are as specified in the report of the NCMS Committee published in 2012; for residential buildings, the norms are those existing in the various states.

One of the judiciary's primary roles in this context should be to keep relevant stakeholders, like the political executive, informed of the evolving needs of court infrastructure. This must ideally be done after due consultation with all levels of judicial officers.

The Supreme Court has, through some cases, addressed issues of court infrastructure and its link to ensuring speedy justice under Article 21 of the Constitution.¹³ The court has also taken up the task of monitoring the state of infrastructure in the

lower judiciary. In 2018, in an on-going *suo motu* writ petition,¹⁴ the Supreme Court mandated all states to respond to whether the infrastructure available is adequate, in the context of recruitment examinations of the subordinate judiciary.¹⁵ The authors obtained access to a limited number of affidavits submitted in connection with this petition, which confirm that there is a significant shortage in courtrooms and residences for judges.¹⁶ The affidavit submitted by the state of Meghalaya noted that most district court

The survey was designed based on the National Court Management Systems (NCMS) Committee report published by the Supreme Court in 2012.

buildings are still under construction: only 4 out of 16 District/Sub-Division Judiciary buildings are fully constructed and functional. In Gauhati, there is a shortfall of infrastructure for 37 courts. In Manipur, there is a severe shortage of courts especially for especially Grade II and III judges. In the Goa bench of the Bombay High Court, only 18 courts are available for 57 officers. In Bombay, there are only 1763 halls for 2248 judges. With regard to Uttar Pradesh, there is a shortfall of 885 courtrooms of which 371 are under construction.

⁹ Entry 11 A, Schedule 7, Administration of Justice, constitution and organisation of all courts, inserted by the Constitution (Forty-Second) Amendment Act, 1976.

¹⁰ Fund Sharing Pattern under the Scheme, *Revised guidelines for the implementation of the Centrally Sponsored Scheme for the Development of Infrastructure Facilities for the Judiciary*, 2018-2019, Department of Justice, Ministry of Law and Justice, Government of India. The fund sharing pattern under the CSS is a 60:40 split between Centre and the states for all states, except eight North Eastern states namely Arunachal Pradesh, Assam, Sikkim, Tripura, Nagaland, Manipur, Mizoram and Meghalaya and three Himalayan states, namely Uttarakhand, Himachal Pradesh and Jammu and Kashmir, where it is 90:10. For Union Territories, there is no fund sharing requirement and the CSS provides the entire contribution. This Scheme does not cover construction of High Court buildings.

¹¹ Department of Justice, Ministry of Law and Justice, Government of India, *Handbook on Revised guidelines for the implementation of the Centrally Sponsored Scheme for the Development of Infrastructure Facilities for the Judiciary* (2018), p. 2.

¹² The allocation of funds depends on the availability of funds with the Central Government under the CSS as per budgetary allocation and with the understanding that states have made adequate provision in their budgets for meeting the state share.

¹³ *Maharashtra Grahak Panchayat & Anr v. State of Maharashtra*, 2017 SCC Bom 726., *Brij Mohan Lal v. Union of India and Ors.*, (2012) 6 SCC 502.

¹⁴ *In re: filling up of vacancies*, *Suo Motu WP (Civil) 2/2018*.

¹⁵ *In re: filling up of vacancies*, *Suo Motu WP (Civil) 2/2018*, order dated 22.10.2018.

¹⁶ Official affidavits of Allahabad High Court, Bombay High Court, Manipur High Court, Gauhati High Court, Meghalaya High Court and Delhi High Court gathered from the Senior Advocate appointed as an *amicus curiae* in this matter, and responsible for presenting the data received.

II. National Court Management Systems Baseline Report

While the tussle between the executive and judiciary in determining the adequate number of courtrooms has been a consistent feature of the discourse in judicial reforms, discussions around the qualitative requirements of a courtroom did not enter the mainstream until 2012. In 2012, the NCMS committee was created, with an immediate aim of upgrading the court management systems, on the instructions of the Chief Justice of India in consultation with the Minister of Law and Justice.¹⁷ It took up six schemes for examination, including one relating to the court development planning system.¹⁸ The NCMS noted links between deficient infrastructural facilities and the efficiency of the judicial system, which led to mounting arrears and delays in the judicial docket.¹⁹ Among other things, the NCMS was expected to measure the performance standards of Indian courts and enhance the user-friendliness of the judicial system.²⁰

Towards these objectives, the NCMS published a baseline report that devised certain benchmarks and framework for minimum standards for court complexes and courtrooms.²¹ This included but was not limited to, user-friendliness and barrier-free accessibility for all users of courtrooms, and also stressed on the need to ensure that courts were equipped with the latest technology,²² and were secure.²³ The baseline report, for the first time, dissected a court complex

into its various elements such as the judge's chamber, litigants' waiting area, amenities for court staff, etc. The report then proceeded to determine the minimum essential standards for each of these elements.²⁴ The baseline report was supposed to be a dynamic working document that would undergo periodic updation and revision based on the feedback received from State Court Systems Management Committees. However, the baseline report has not been updated since its original version, and it remains the only authoritative source for an infrastructure benchmark from the Supreme Court.

III. Universal Design Principles

The NCMS report mentioned the term 'Universal Design' but did not elaborate on it.²⁵ As a concept, Universal Design entails a paradigm shift in thinking about the design of products and architecture in a way that enables accessibility by all people, to the greatest extent possible.²⁶ It requires incorporating elements of flexibility, adaptability and modularity so as to ensure mass customization for users.²⁷ A court complex following the principles of Universal Design would be accessible not just to people with disabilities but also to children, illiterate persons, and the elderly.²⁸

The concept of Universal Design first originated in the United States of America in 1997, but came to be adapted in India formally only in 2011 by an interdisciplinary team of experts comprising of design,

¹⁷ National Court Management Systems, "Policy and Action Plan", Supreme Court of India, (2012).

¹⁸ The six schemes are- a) A National Framework of Court Excellence (NFCE), b) Setting Measurable Performance standards for Indian Courts, c) A system for Monitoring and Enhancing the Performance Parameters Established in the NFCE on Quality, Responsiveness and Timeliness, d) A System of Case Management, e) A National System of Judicial Statistics, f) Court Development and Planning System, Human Resource Development Strategy.

¹⁹ "Court Development Planning System (Infrastructure & Budgeting)", *Supra note 8*, p. 12.

²⁰ *Ibid.*

²¹ *Ibid.*

²² *Ibid.*

²³ "Court Development Planning System (Infrastructure & Budgeting)", *Supra note 8*, p. 11

²⁴ "Court Development Planning System (Infrastructure & Budgeting)", *Supra note 8*, pp. 11-37

²⁵ "Court Development Planning System (Infrastructure & Budgeting)" p 11.

²⁶ Rachna Khare and Abir Mullick, "Universal Design India Principles: A Contextual Derivative for Practice", Proceedings of the Human Factors and Ergonomics Society 56th Annual Meeting, (2012).

²⁷ *Ibid.*

²⁸ *Ibid.*

architecture and disability rights experts.²⁹ The principles that were formally adopted are: equitability, usability, cultural sensitivity, economy and aesthetics.³⁰ Although Universal Design is distinguishable from design philosophies that seek to ensure accessibility,³¹ it has drawn support from the disability rights movement. In 2016, the new Rights of Persons with Disabilities Act repealed the earlier 1995 legislation, with its corresponding Rules being notified in 2017. As per these Rules, all public buildings have to conform to the “*Harmonized Guidelines For Built Environment Standards on Barrier Free Built Environment for Persons with Disability and Elderly Persons*”. These guidelines are based on Universal Design principles and were framed by the Ministry of Urban Development, Government of India, to streamline multiple standards on accessibility for built environment in the country that existed prior to the Rules coming into force. In addition to these guidelines, the National Building Code (NBC), 2016 was also released in March, 2017 which incorporated elements of Universal Design. Reading these two guidelines together provides a comprehensive picture of how public buildings need to be designed in order to ensure universal accessibility.

The “Accessible India” campaign launched in 2015 by the Department of Empowerment for Persons with Disabilities,³² under the Ministry of Social Justice and Welfare, Government of India, looks at how accessible certain court complexes were from the perspective of access for persons with disabilities. This is an all-India flagship campaign that seeks to enhance universal accessibility for persons with disabilities so that can lead an independent life.³³ The campaign in particular targets built environment, transport system and the information and communication system.³⁴

As part of this capacity building programme, access

audits of several important public buildings in 48 Indian cities were carried out. The Department of Empowerment of Persons with Disabilities issued an Accessibility Audit Checklist to comprehensively assess the accessibility of a building. The questionnaire pertains to three areas: the availability of information and communication related to the services being provided in the building; the provision of services and staff trained to help with access issues; the physical accessibility of both the internal and external environments. The latter part of the checklist is fairly detailed and includes specific measurement requirements for ramps, corridors, staircases, escalators, handrails etc.³⁵ These audits were undertaken primarily from the perspective of access for persons with disabilities, and do not incorporate many of the other recommendations of the NCMS baseline report.

Many court complexes, including the Supreme Court, have been surveyed as part of these accessibility audits.³⁶ In the Supreme Court, while the internal and external environment met some of the standards of accessibility set by the audit, it completely failed on the requirement of providing information and communication regarding services available in the building, as well as providing trained personnel who can help with access issues. Neither did the Supreme Court have a plan to improve accessibility over a time-frame nor did it have equal opportunities policy to promote the employment of staff with disabilities.³⁷

While the NCMS baseline report needs to be updated in the context of established principles enumerated in the *Harmonized Guidelines* and the *NBC*, given that this has not been done until now, implies that the 2012 NCMS report determines the basic officially-recommended standard for court infrastructure in India.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

³² Department of Empowerment of Persons with Disabilities, “*Accessible India Campaign*”, available at <http://disabilityaffairs.gov.in/content/accessible_india.php>, last accessed on 22 April, 2019.

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ For a more detailed understanding of the questionnaire, see here <http://disabilityaffairs.gov.in/upload/uploadfiles/files/Annexure_%2011%20docx.pdf> last accessed on 20 June, 2019.

³⁶ Department of Empowerment of Persons with Disabilities, “*Access Audit Reports*”, available at <http://disabilityaffairs.gov.in/content/access_report.php>, last accessed on 22 April, 2019.

³⁷ Access Audit Report, Supreme Court of India, May (2016) available at <<http://disabilityaffairs.gov.in/upload/uploadfiles/files/delhi/4%20Supreme%20Court.pdf>>, last accessed on 20 June, 2019.

IV. Previous Work

Using the NCMS report as the guiding benchmark, in 2018, Vidhi Centre for Legal Policy (Vidhi) conducted a study of the status of physical infrastructure in the National Capital Region (NCR). These included six district courts of the National Capital Territory of Delhi, and two court complexes each in the states of Haryana, Rajasthan, and Uttar Pradesh, that fall under the NCR for a mix of courts in urban and rural areas. The parameters used for this study (“preliminary infrastructure study”) were derived from the NCMS baseline report and surveyed the following facilities: litigant’s waiting area, ground level entry points, utility block and other utilities and vehicular management in these court complexes. Two Research Fellows surveyed these 12 court complexes from the point of view of a litigant, and collected data which were then analysed and reported. This study, however, did not conduct any litigant interviews since it was done as a preliminary exercise to take stock of the physical conditions of court infrastructure.

The preliminary infrastructure study noted a chronic lack of infrastructure development in the district court complexes. The Saket court complex in NCR was best-designed in comparison to the other 11 courts. Even court complexes in urban areas, although relatively better than those in rural areas, lacked basic facilities for persons with disabilities (including the court complex in Saket). Court complexes in rural areas mostly faced

issues relating to the lack of washrooms for women, access to drinking water facility, and seating provisions for litigants. Seating capacity in waiting rooms was limited across all court complexes outside of the National Capital Territory of Delhi. Bharatpur, Gautam Buddha Nagar and Faridabad courts did not have drinking water provisions, and air-conditioned spaces were provided only in three court complexes in Delhi. Bharatpur and Alwar had the fewest utilities out of these 12 court complexes. All 12 surveyed court complexes were doing poorly and needed more prominent signages and arrows. Only two court complexes appeared to have designated entryways for advocates and litigants. While most courts had ramps at entry/exit, the absence of ramps across the complex rendered pointless the larger objective of accessibility. Access for persons with disabilities was found to be lacking across the court complexes.

Building on this preliminary infrastructure study, Vidhi sought to expand the scope of the project to conduct a nation-wide infrastructure survey of district court complexes.³⁸ The objective was to facilitate more informed conversations among relevant stakeholders by making data on court infrastructure publicly available. Being a sequel to the preliminary infrastructure study, the current report covers the NCMS report more comprehensively than the previous limited study of complexes in NCR. It also includes feedback from key users of court complexes, i.e., litigants. The survey also examined the websites of each of the court complexes that were visited.

Key Issues

- The NCMS report is outdated, does not address requirements of modern day court complexes, and is not in line with the Universal Design Principles India, 2011.
- No regular periodic audit or review of court infrastructure is undertaken at the state and district level by any government or judicial authorities.
- A detailed break-up of judicial budget and utilisation is not maintained by either the Union Ministry of Law and Justice or State Law Departments.

³⁸ District Courts: the District and Sessions Court which is the highest court at every district level. It has been explained in detail in the ‘Methodology’ section in this report.

Chapter 2: Methodology

Public discourse on court infrastructure is limited mainly because of the absence of data on the qualitative and quantitative aspects of such infrastructure. This survey sought to fill this vacuum, by expanding its scope to cover district court complexes across India, using the NCMS report as a comprehensive baseline.

A district court complex refers to the complex which houses the District and Sessions Court, which is the highest court in a judicial district. This does not include courts subordinate to it, presided by judges lower in rank to a District or Sessions Judge, except in places where they share the physical court complex. Court complexes that house both District and Sessions Judges as well as lower ranked judges were surveyed as a whole.

This survey of district court infrastructure was undertaken in collaboration with Vimarsh Development Solutions ("Vimarsh"). Initial desk-based research estimates based on the ecourts website³⁹ suggested that there were 647 district courts in India. However, field researchers on-site found additional courts, which took the total up to 665 district court complexes, which was the final number of court complexes surveyed.⁴⁰ It is not confirmed whether this is the conclusive list of district court complexes, as the websites of neither the state High Courts nor the central Department of Justice provide such a list.

In partnership with Urban Sciences, which specialises in web development and data analytics, a repository of the data collected in the survey was created. A website complementing the survey and this report contains details of the survey outcomes, and allows users to study the various data points at national, state and district levels (<http://data.vidhilegalpolicy.in/survey/About.html>).

I. Survey and Data Collection

The first stage involved designing and finalising a



COURTS

665



JUDGES

17,028



CASE PENDENCY

2,77,52,879



JUDGE VACANCY

5,676

questionnaire (please refer Annexure 1) based on the benchmarks identified by the NCMS baseline report, focussing on three aspects of judicial infrastructure: physical, digital and human resources. As part of physical infrastructure, questions were asked as to how a litigant accesses courtroom spaces. For digital infrastructure, the objective was twofold: firstly, to assess whether the district court websites existed at all; and secondly, whether they had basic information that would help litigants. The survey of websites did not examine whether they were accessible to persons with disabilities. Websites of every district court complex that was physically surveyed was also separately studied for the presence of 8 pre-identified features based on the NCMS report, to assess whether the website was informative and user-friendly.⁴¹ As part of human resource infrastructure, the study looked at the number of working judges and the number of vacant posts.

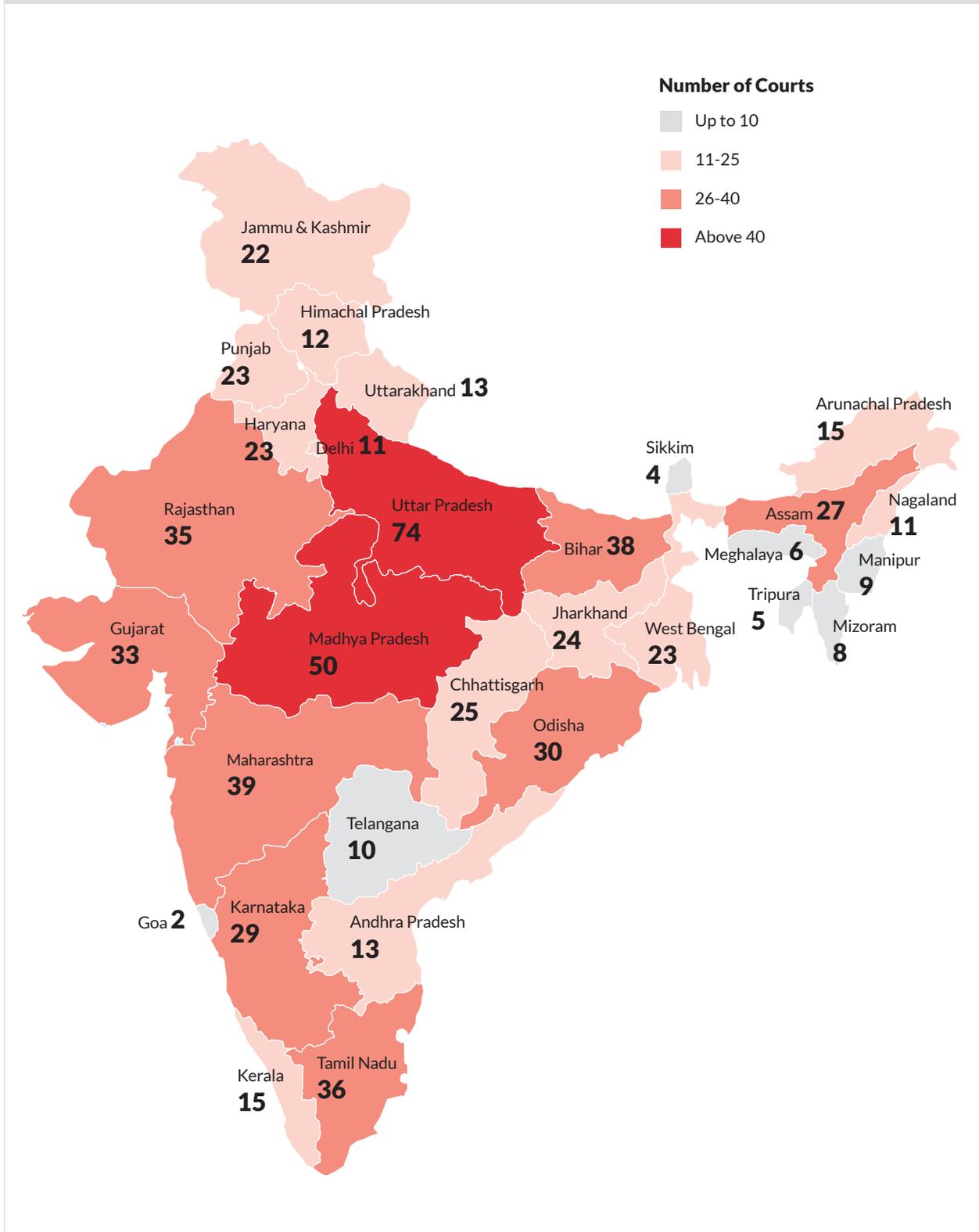
This study collected data from 665 district court complexes across 36 states and Union Territories in India. In addition, secondary data was collated on the number of judges serving in these district courts and the case pendency in the subordinate judiciary. As per data published in Court News, the quarterly official publication of the Supreme Court, (as on 31.12.2017), the sanctioned strength is 22,704 judges, as of 31.12.2017, there were 17,028 judges serving with

³⁹ E- Courts Mission Mode Project, available at <https://districts.ecourts.gov.in/>, last accessed on 20 June, 2019.

⁴⁰ The following district court complexes could not be surveyed due to resource limitations: Alirajpur (Madhya Pradesh), Muzaffarnagar (Uttar Pradesh), Ri-Bhoi & South Garo Hills (Meghalaya), Lower Dibang Valley (Arunachal Pradesh), Dhalai, Khowai, and Sepahijala (Tripura).

⁴¹ The websites of the following district court complexes was not functioning on the date of the survey: Charkhi Dadri (Haryana), Chikkamagaluru (Karnataka), Tamenlong and Chandel (Manipur).

Fig. 1: District Court Complexes Surveyed



The district courts of Union Territories that a High Court has jurisdiction over have been added to its corresponding state to compute the total number of district court complexes surveyed in each state. Therefore, Kerala includes Lakshadweep, West Bengal includes Andaman and Nicobar Islands, Maharashtra includes Dadra and Nagar Haveli, Daman and Diu, Tamil Nadu includes Puducherry, Haryana and Punjab includes court complex of Chandigarh.

5,676 posts lying vacant. Data on pendency collated from the National Judicial Data Grid (NJDG) between 18.09.2018 to 25.09.2018 revealed that there are 2,77,52,879 cases lying pending in the subordinate judiciary. Field researchers visiting district court complexes completed two surveys: firstly, of the physical infrastructure of the complex, and secondly, of litigants visiting the complex that day. The purpose of the litigant interviews was to take stock of the user experience while accessing court spaces. 10 litigants from each district court complex (totalling 6650 litigants) were selected randomly on-site for the feedback on the conditions of available facilities, and for suggestions on how the experience of visiting the court complex could be improved. Litigants were interviewed about all identifiable aspects of interactions with physical court infrastructure. In addition, the survey also had questions pertaining to the facilities available in courtrooms including tables, chairs for lawyers, laptops for judges, etc. Due to limitations of time and resources, it was decided that field researchers would visit only 5% courtrooms in any given court complex and 10% courtrooms if the court complex was located in a metropolitan city. While surveying the data, the number of courtrooms in a complex ranged from anywhere between 25 and 300, and hence, this sample size of courtrooms surveyed was not representative in all cases. This data set based

on the individual courtrooms surveyed was not taken into consideration for final analysis and scoring.

The parameters assessed in the litigant interviews ranged from how easy it was to get to, and navigate within, the court complex, to awareness of the availability of various facilities and services within the court complex. On certain aspects of the user experience, such as facilities in the waiting area, litigants were also asked to choose from pre-identified areas for improvement. Litigants also had the option to provide additional suggestions, classified as “others” in the questionnaire, but this was rarely selected, since the options already provided was quite exhaustive. The primary reason for litigant interviews was to bridge the information deficit that exists presently, where users of court complexes (litigants, lawyers, court officers and other general public) have no means to provide feedback on their experience of navigating court complexes.

Field researchers were instructed to interview litigants while leaving since they were more likely to be calm and would have more time to respond. Attempts were also made to interview at least one litigant with disabilities, to understand whether the complexes were truly inclusive from a user’s perspective. However, this proved to be challenging, given the limited time

Fig. 2: Age and Gender Distribution of Litigants Interviewed

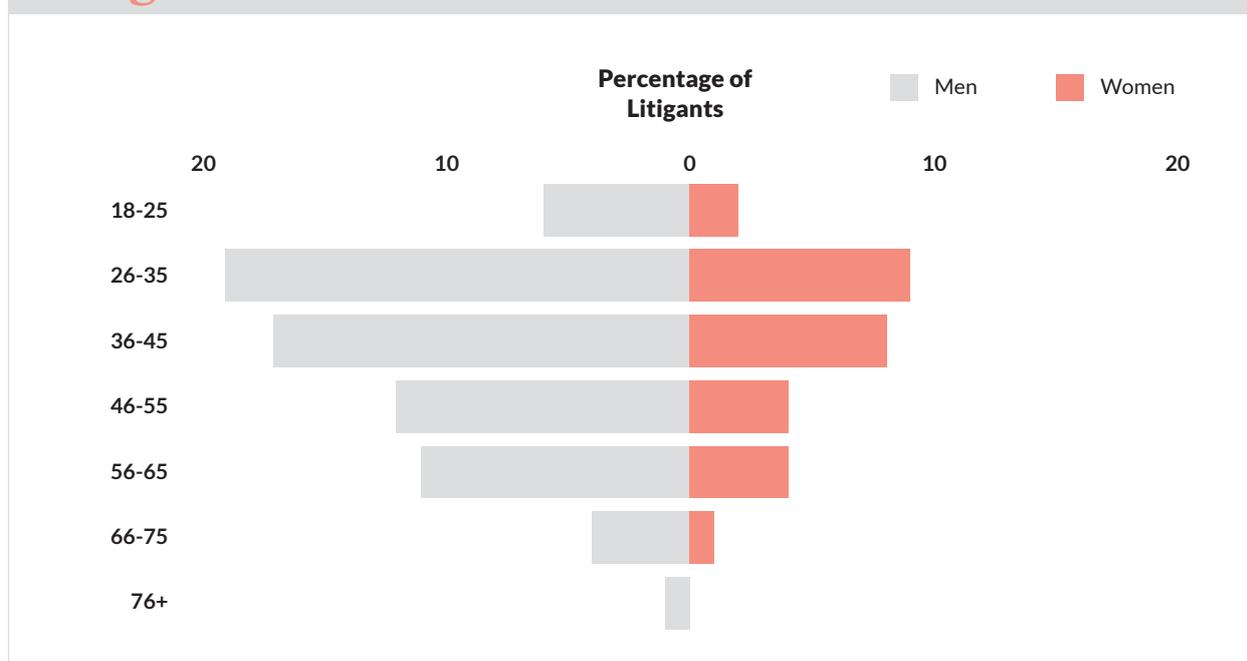
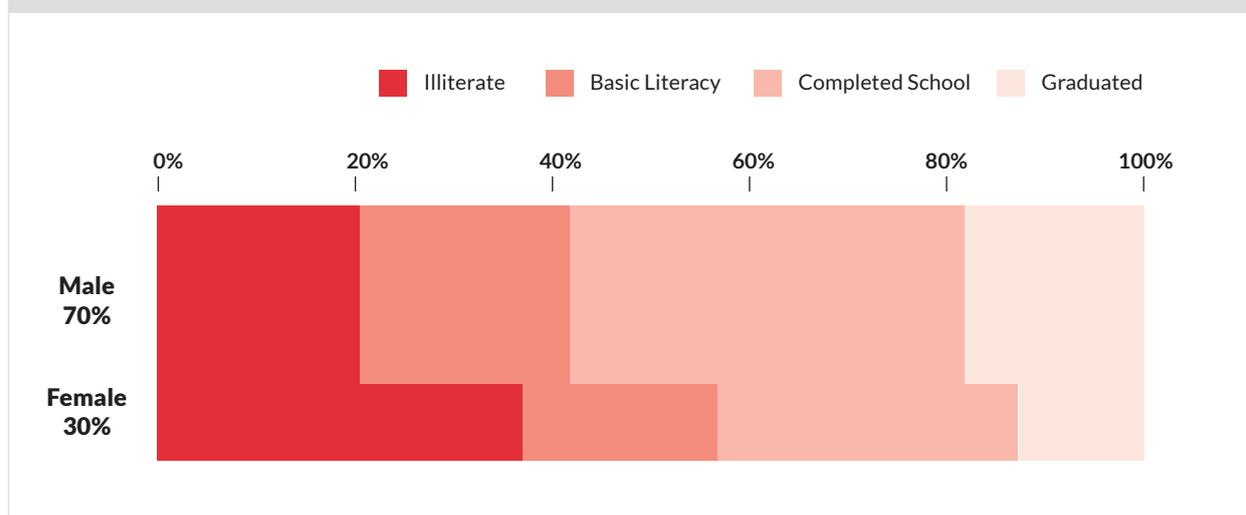


Fig.3: Education Level of Litigants Interviewed



surveyors spent in a particular court complex. Women and senior citizens are also identified as marginal users of courts, and are likely to face accessibility issues, and were interviewed wherever possible.

A smaller sample of illiterate respondents was interviewed in urban areas. A minimum of a 30:70 ratio in this regard was sought to be maintained among litigant interviewees, where 30% litigants interviewed were illiterate. This was particularly critical to the study since it is important to understand whether court complexes are accessible to illiterate persons in terms of availability of sign boards in local language, having a working help desk, and so on.

Field researchers were locally recruited by the collaborating partner, Vimarsh, in the various states and Union Territories. These field researchers were post-graduates in Social Work/Social Sciences with at least four years of work experience, and were conversant in the local languages of the areas they were surveying. Surveys were conducted between May 2018 and August 2018, and court vacations were taken into consideration before surveys were scheduled.

The state teams of field researchers were managed by a Project Coordinator and a Research Associate based out of the Vimarsh office in Gurugram, Haryana. Before field researchers were sent to the field, a training of trainers was conducted by Vidhi, where the Project Coordinator and Research Associate from Vimarsh

were trained. Field researchers were further trained through web-conference, region-wise, in batches.

Once the first draft of the survey questionnaires were prepared, they were piloted in a district court complex each in Delhi and Gurugram. Following this pre-test, the questionnaires were finalised. Although the survey questionnaire and final data entry was in the English language, field researchers were trained to canvass them in the local language.

A field researcher was required to spend one day (from 9am-1pm or sometimes after lunch hours) for the survey of each district court complex. A daily progress of data collected was sent by the field researchers to the coordinating team in Gurugram. A weekly progress report was also sent to the team at Vidhi coordinating this project. In addition, the names and phone numbers of field researchers were shared with Vidhi for enabling field-level monitoring checks.

II. Data Entry and Analysis

A random verification of the primary data thus collected was conducted by the coordinating team handling the field researchers, as part of appropriate checks on data quality. After interviews were completed, the data was verified by personally contacting a random selection of approximately 5% litigants from every state over the phone. In addition to these quality control measures,

field researchers shared a photograph of the court complex from outside, with a date and time stamp so that the coordinating team could verify the same. Data from field researchers was inputted using a programme created for this purpose by UrbanSciences, designed to avoid duplication and minimise other data entry errors. The programme was designed to be simple and practical such that the data entry could be easily undertaken.

Over a hundred data points were collected, and have been thematically grouped to capture a litigant's experience through a court complex. These parameters are: Getting There, Navigation, Waiting Areas, Hygiene, Barrier-Free Access, Case Display, Amenities, Security and Websites. For a detailed understanding of how these 100+ data points were folded into themes, please refer to Annexure 3.

III. Scoring System

Each district court complex was assessed on its performance across nine parameters: Getting There, Navigation, Waiting Areas, Hygiene, Barrier-Free Access, Case Display, Amenities, Security and Websites. These parameters were further grouped into a number of sub-themes. Each parameter was assigned equal overall weight. Within each parameter, sub-themes were also given an equal weight distribution. Thus if a parameter had two sub-themes, each of the sub-themes were assigned an equal score to compute the total score for that parameter. Equal weightage was given to avoid making value judgments on the relative importance of one sub-theme or parameter over the other. Thus, the same value was assigned for features enabling barrier-free access, as for features ensuring smooth navigation within premises. Aggregating the scores across each parameter for each complex, every district court complex was given a total score. This method helped identify the best and worst performing districts across each state, and consequently, the relative performance of each state.

As part of the scoring process, answers to litigant interviews were not included due to their subjective nature. Most of the interview questions could not be quantified or recorded as binary ('Yes' or 'No') responses, and in many cases, the answers were

suggestions for improvement of particular features. Nevertheless, these interviews support the study's analysis and findings, and have been used to illustrate the nine parameters to give a broader picture of user experience.

The scoring process also did not factor in data points about human resources, such as the sanctioned and sitting strength of judges, since this data was not available for the district level, which was the unit of study for the survey. The data has been analysed state-wise as well as and nationally. Separately published state reports present a snapshot of a state's performance, taking into consideration the performance of all district court complexes in that state across these nine parameters. The present report shows the major trends for each of these parameters across states, providing a national picture of court infrastructure.

IV. Limitations of the Study

This survey was designed and carried out from the perspective of a litigant. The NCMS report⁴² provides additional standards to be followed for the infrastructure of judges' chambers, facilities for advocates such as bar rooms, libraries, infrastructure for computerisation, video conferencing facilities, and so on. However, these additional facilities were not examined for the present survey.

There are two reasons for this. Firstly, the survey sought to understand the particular challenges that litigants and the general public face in accessing justice. Secondly, field researchers could only access spaces open to public and thus made their observations without disturbing the functioning of the court proceedings. This meant that no court staff were interviewed, and no spaces that require prior permission for use were accessed. Additionally, although specific questions were included to assess the facilities available in courtrooms, given in most cases, only 5% or 10% of courtrooms in the entire court complex were surveyed, this data was not included in the final analysis.

Further, this survey is by no means a comprehensive

⁴² "Court Development Planning System (Infrastructure & Budgeting)" Supra note 8, pp. 27-36.

Chapter 2: Methodology

assessment of the state of infrastructure of the subordinate judiciary in India. Rather, it is an evaluation of only the district court complexes in each state. Judicial infrastructure includes entire layers of courts above and below district court complexes, which were not studied. The decision to survey only district court complexes was based on two reasons. Firstly, logistical constraints prevented undertaking a pan-India survey of all court complexes in the subordinate judiciary. Secondly, a comprehensive list of all subordinate courts was not available. Thus, chances of errors and exclusions would be higher, since there was no database to verify the list of court complexes against. The fact that such a list was neither consolidated nor regularly updated was a challenge.

Despite best efforts, some district court complexes could not be surveyed at all due to resource and

665 district court complexes were surveyed and 6650 litigants were interviewed for studying district courts' physical infrastructure.

accessibility constraints. These were the complexes in Alirajpur (Madhya Pradesh), Muzaffarnagar (Uttar Pradesh), Ri-Bhoi & South Garo Hills (Meghalaya), Lower Dibang Valley (Arunachal Pradesh), Dhalai, Khowai, and Sepahijala (Tripura).

Field researchers were trained in a manner to ensure that data entry would be uniform, but manual errors cannot be ruled out. A monitoring mechanism was also developed to check the quality of data entry, but given the scale of the project, it was not feasible to verify every entry across 665 district court complexes surveyed.

Gathering user feedback from litigants was an important component of the study. But only ten litigants per district court complex were interviewed due to logistical and time constraints. While this number does not do justice to the high volume of

litigants that engage with the judicial system in India everyday, these interviews are a representative sample and offer a panoramic view of user concerns while accessing district court complexes.

Field researchers attempted to interview a diverse group of litigants but this was not always met with success, due to time constraints. This has resulted in some responses being influenced by the interests of the section of litigants interviewed and thereby limited to what perceive as necessary for their interests.

To reduce subjectivity in capturing data on litigant perception, litigants were offered a list of options to choose their responses from, and provided an alternative option of 'others' in case their specific concern or issue was not captured from amongst the given options. Such a method of collecting data has its limitations when compared to open-ended or semi-structured interviews. However, given the pan-India nature of this study, it was decided that analysing the data collected in the form of open-ended, qualitative interviews would be impossible, given the constraints of both field researchers and the research team working on this project.

Using the NCMS report as the baseline for evaluating court infrastructure itself was a limitation. The NCMS guidelines were prepared in 2012, and was written without adequate acknowledgement of the Indian Universal Design Principles drafted in 2011. In 2016, the Ministry of Urban Development issued guidelines for persons with disability and elderly persons for accessing public buildings which were in line with the Universal Design Principles, and which could be arguably considered as an upgraded code for public space design. But these newer guidelines are designed for a technical audience, and the field researchers team engaged for this project were not equipped to carry out such assessments. For instance, even though the survey assessed whether ramps/lifts, braille, tactile pavements and washrooms for persons with disabilities are present, the exact measurements, dimensions, slope of the ramps or area of the lift, was beyond the scope of the survey.

As the NCMS report offered the only set of comprehensive guidelines available at the time of the survey specifically on court infrastructure, this was used as a basis for designing the questionnaire. Future studies/surveys should consider evaluating court complexes from the perspective of Universal Design in addition to the NCMS report.

Using the NCMS report as a benchmark has other concerns, too. The NCMS report is a vision document in many ways, and lists out the essential features of what its authors consider to be an ideal court complex. However, practically all the court complexes surveyed have been in existence for decades, well before the NCMS report was conceived of or written. The NCMS report is perhaps more useful when designing newer court complexes, and indeed, it was noted that complexes built around the time or after the report was written, such as Saket, performed relatively better in the present survey. A reader could well argue that it is unreasonable or unfair to assess an older court complex against the newer standards set by the NCMS report. However, this also points to flaws in the NCMS report itself, and in the literature around judicial infrastructure in India generally, which does not list ways in which court complexes should be upgraded to meet basic modern standards.

All of this points to the need for reviewing NCMS guidelines. The use of the NCMS guidelines for the present survey are in no way an endorsement of the adequacy of these guidelines. Nor does it imply that there is a mandate for court complexes to use NCMS as the baseline for infrastructure, as it serves as only a guideline. The NCMS report has been used in this report primarily as a formal benchmark, and to indicate the gap between what the NCMS expects the courts to

be versus the reality.

Finally, the data on physical infrastructure of district court complexes was collected between May 2018 and August, 2018. Judicial pendency from the National Judicial Data Grid (NJDG) was collected in September, 2018 and the data on vacancy is accurate as of 31.12.2017. These dates were hard stops for the data entry portal. The authors acknowledge that this data, would have changed substantially since the time of its extraction. Court infrastructure is always undergoing change and upgradation, therefore, there could be many differences between the data represented here and the on-ground status.

V. Disclaimers

Maps used in this report were sourced from Data Meet, available at <http://datameet.org/>. The designations employed and the presentation of the material on the map in the cover page do not imply the expression of any opinion whatsoever on the part of the authors concerning the legal status of any state, district, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries, and errors, if any, on the map is not attributable to the authors. Some of the icons used in this report were extracted from the Noun Project, available at <https://thenounproject.com/>. Any other errors in the report are the authors' alone.

Key Issues

- The present survey looks at the issue of access to court complexes from the perspective of litigants. However, this is not the only lens through which to view infrastructural facilities. No survey has assessed court complexes from the perspective of infrastructural facilities available to judges, court staff and lawyers.
- Several district court websites were found to be inactive or non-functional.
- Data on platforms such as ecourts.gov.in, njdg.ecourts.gov.in, are designed primarily for individual users such as litigants and lawyers, and are not designed for researchers attempting aggregate studies.
- Neither state nor central authorities have a single official list of all district courts and subordinate courts below it.

Chapter 3: Findings from the Survey

Each district court complex was assessed and scored on nine parameters. District court complex performance was aggregated at the state level to derive state-level performance. This chapter gives an overview of state performance across the nine parameters. In order to view individual state reports, please visit <https://vidhilegalpolicy.in/judicial-reform>. Granular district level data on each of these nine parameters, is available at <http://data.vidhilegalpolicy.in/survey/About.html> which houses this information along with state and national level performance on these parameters.

Each section first discusses the benchmark set out by the NCMS report for that utility or feature, followed by the questions asked in the survey to assess the presence or absence of that feature or utility. Each parameter has one or two sub-themes, which is usually a composite of several questions asked by the survey (e.g., Navigation has two sub-themes: parking for private vehicles; and accessibility by public transport). The sub-themes are listed, and the question numbers from the survey that answer those sub-themes are provided in brackets. This is followed by an overall analysis of the performance of the states in each of these parameters, and a discussion of any significant, identifiable patterns that need systemic reform.

I. Getting There

The NCMS report recommends a number of features to make courts self-sufficient. With regard to the parameter on getting to a court complex, it says,

- The court complex should be located in an area that is accessible by public transport and
- It should have adequate parking facilities.⁴³

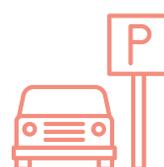
Thus, the present survey sought to understand how

easy it was to reach the court complex. The following questions were asked:

- (a) Is there a designated parking for vehicle for general public/litigants? (F1)
- (b) Is the court complex accessible via public transport? (F3)

To assess whether courts were accessible by public transport, field researchers used general observation techniques to assess whether they could reach the district court complex using any form of local transport which includes buses and shared autos among other things. While every attempt was made to find out as many sources of public transport available in a particular city/town, errors in assessment cannot be ruled out.

In addition to this, although not part of the scoring, litigants were also interviewed to gauge whether they used public, private transport or walked to reach the district court complex. A range of options were given to assess whether the transport was 'public' or 'private'. (See Annexure 2).



PARKING
AVAILABILITY

81%



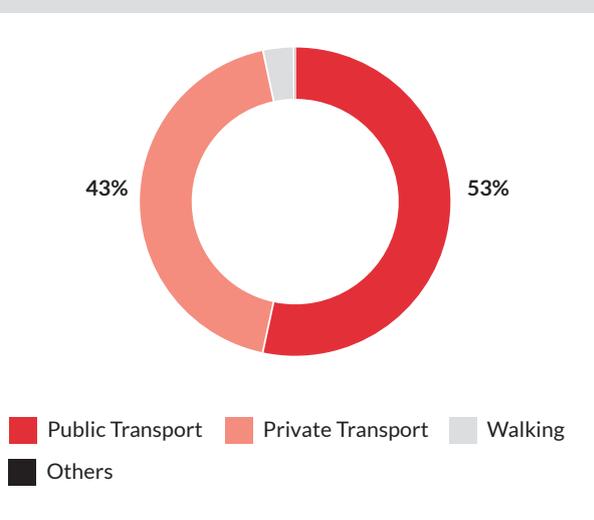
ACCESSIBLE VIA
PUBLIC TRANSPORT

80%

81% or 539 court complexes were accessible via public transport, whereas 532 or 80% of the court complexes had designated parking. Of the litigants interviewed, a majority (53%) used public transport, while 43% used private transport and 4% walked to the court complex.

⁴³ "Court Development Planning System (Infrastructure & Budgeting)", *Supra* note 8. p.12.

Fig. 4: How Litigants Traveled to Court

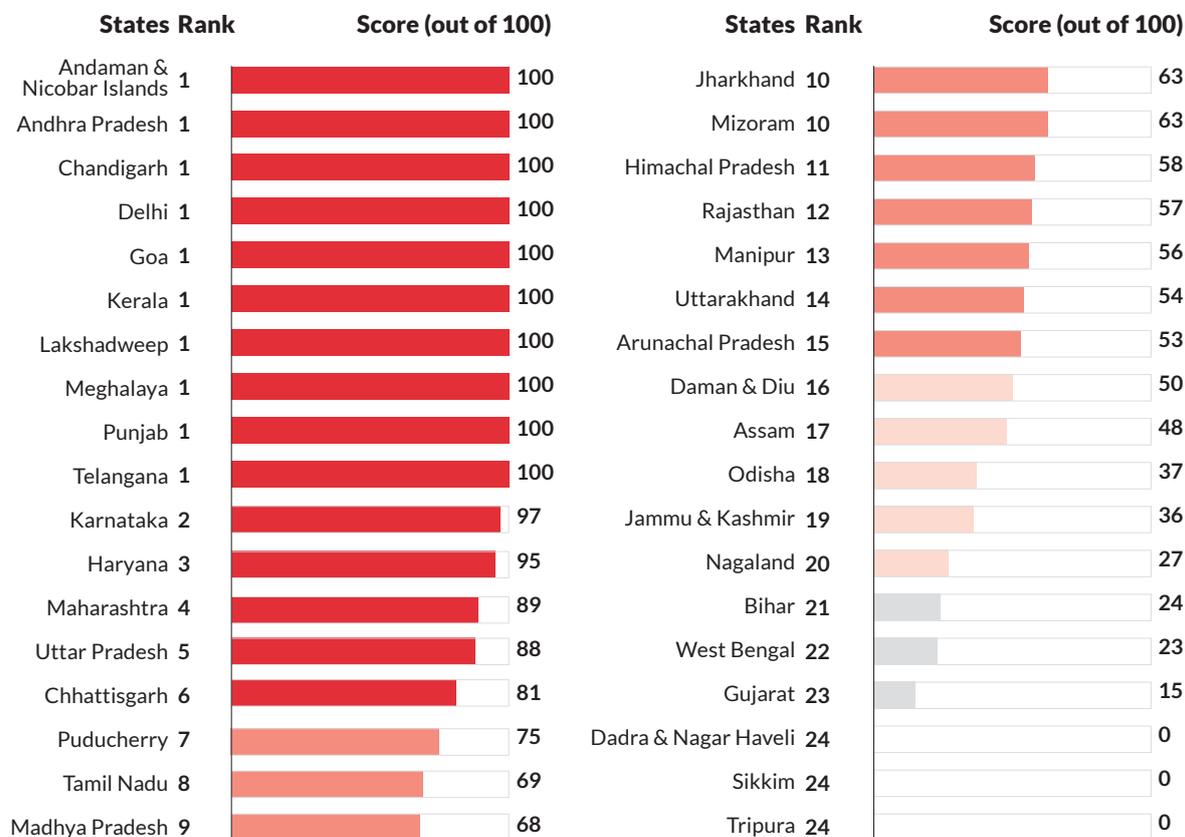


In particular, most court complexes in Gujarat, Sikkim and Tripura did not appear to be accessible via public transport. In Gujarat, while most court complexes had designated parking spaces, only 15% of the courts (5 out of 33 court complexes), appeared to be accessible by public transport. In Sikkim, none of the 4 court complexes have designated parking, and only 1 court complex was accessible by public transport. Most of the litigants interviewed in the state of Sikkim (58% or 23 out of 40 litigants) used private transport to reach the court complex. In Tripura, although 4 out of 5 court complexes had designated parking, none of them were accessible via public transport.

Public transport is essential for poorer litigants who may not be able to afford private transport for reaching court complexes. One reason why litigants may not be using public transport systems could be because of last

Fig. 5: Getting There: Ranking

0 to 25 26 to 50 51 to 75 76 to 100



Chapter 3: Findings from the Survey

mile connectivity issues, or the infrequency of public transport. This needs to be further investigated at the district level and appropriate steps need to be initiated to popularise the use of public transport.

II. Navigation

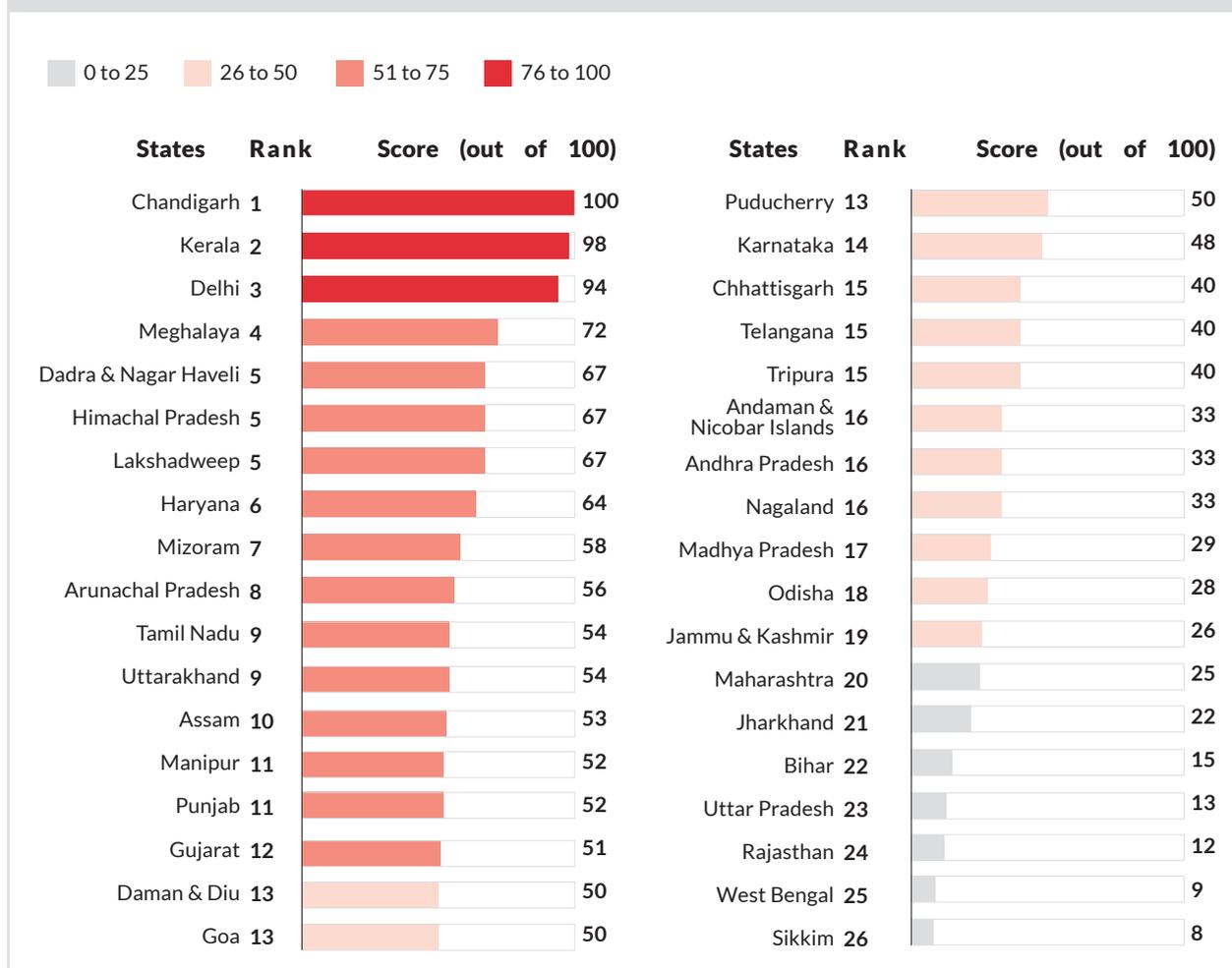
Navigating around a court complex complex entails having easily readable and prominently placed signages, guidemaps, and help desks to enable litigants locate the various facilities and/or courtrooms in the complex. For navigating court complexes, the NCMS report says:

- A court complex should have a guide map, a reception centre along with a facilitation centre and a document filing counter at the entrance of

the complex.⁴⁴

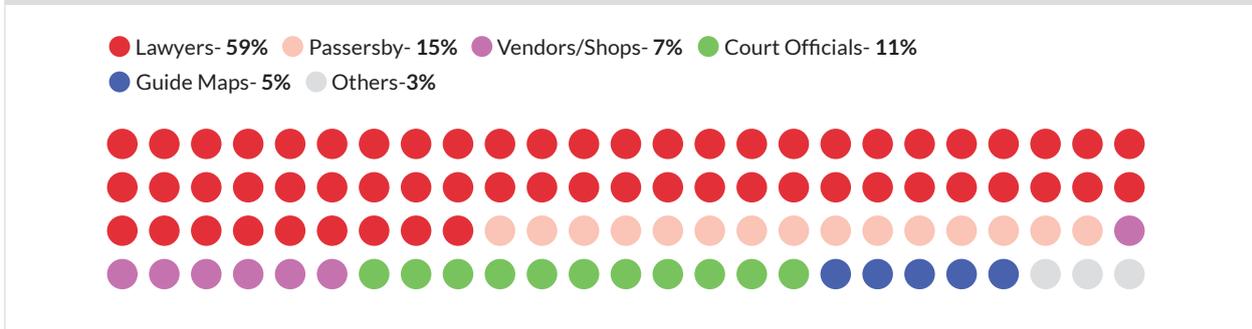
The parameter on Navigation in the survey measured whether a court complex had two features: a guide map and a help desk. Guidemaps are features that ought to be located both at the entrance as well as in the main building, so that litigants who enter through multiple entrances can consult the guidemap to find their way around the court complex. A helpdesk, on the other hand, should be present at least in one location in the complex, either at the entry point, or the main building. This is because helpdesks require human resources, and as long as it was available *either* at the entrance or somewhere in the main building, a court complex scored positively on this feature.

Fig. 6: Navigation: Ranking



⁴⁴ Ibid p. 26.

Fig. 7: Who Guided Litigants Around Court Complex



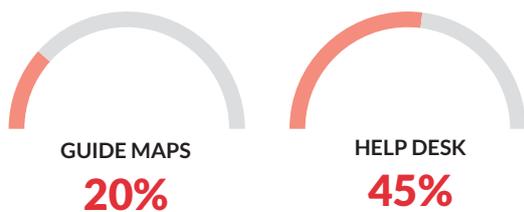
The survey did not ask whether a reception centre or a document filing counter was available (thus interpreting the NCMS benchmark narrowly), since such facilities could have required considerable time to locate within the court complex. Thus, the presence of a guide map and a helpdesk were prioritised over the other two features listed by the NCMS report.

The survey also attempted to capture whether guidemaps were present in the local language of the state along with either English or Hindi, due to errors in data capture and data entry, this feature was left out from the process of final scoring and analysis.

In addition, although not part of the scoring, litigants were asked how they located their courtrooms, and which specific facilities within the complex required better signages.

The parameter of Navigation was thus understood through the following questions:

- (a) Is there a floor map/guide map provided at the entry and in the main court building? (A10+ B9)
- (b) Is there a help desk at the entrance or in the main court building with a person manning it? (A13+A14+B11+B12)



Only 20% district courts (133 out of 665 court complexes) have guidemaps and 45% (300 out of 665 court complexes) have a helpdesk. West Bengal and Sikkim are the worst-performing states on this parameter. In West Bengal, none of the 23 court complexes had guidemaps, and only 1 court complex had a help desk. In Sikkim, none of the 4 court complexes had either help desks or guidemaps. Bihar, Rajasthan and Uttar Pradesh were some of the other poorly performing states.⁴⁵

In order to move around the court complex, litigants mostly asked lawyers for directions (59% or 3935 litigants). Further, most recommended that there be more e-case display boards (35% or 2335 litigants) to help them track the progress of a case during the court hours, and that there should be better signages for locating the waiting area (32% or 2134 litigants).

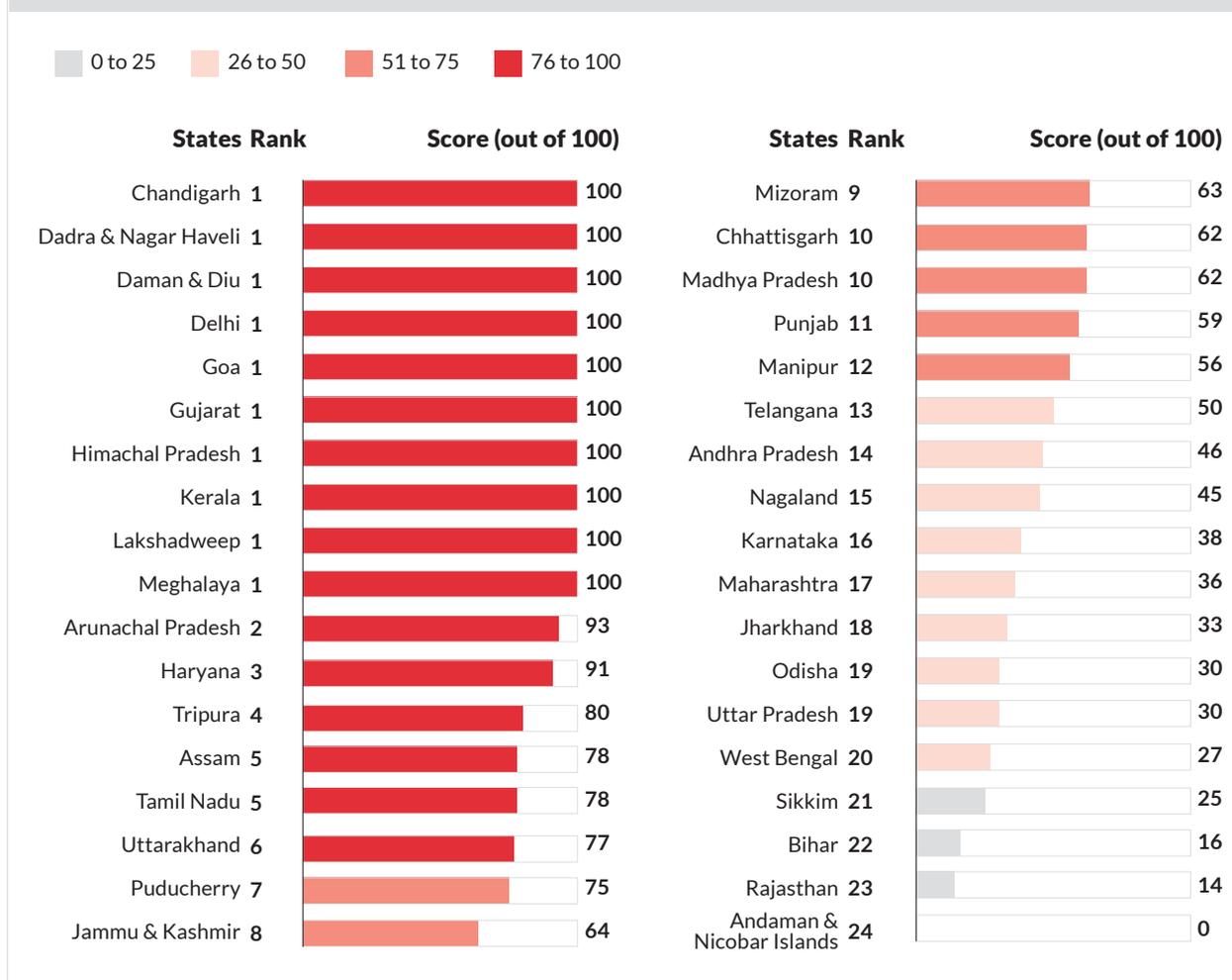
One category of the general public who are a regular at court spaces are witnesses who are summoned by courts for examination. They are the eyes and ears of the court and are in for the brief hearing that they are a part of. In the absence of any lawyer or parties of the case to guide them, witnesses find it extremely difficult to navigate around the complex. They are relevant for every case and the court space must be accommodative enough to address their needs. Features such as guidemaps and helpdesks can be particularly useful for such persons.

III. Waiting Areas

A waiting area is typically a room or space within the court complex that is designated for members of the public and litigants, waiting for their case to be called.

⁴⁵ In Bihar, only 1 court complex out of 38 had a guidemap, whereas 11 court complexes had helpdesks; In Uttar Pradesh, 6 out of 74 court complexes had guidemaps and 6 had help desks; In Rajasthan, 3 out of 35 court complexes had guidemaps and 6 had help desks.

Fig. 8: Waiting Areas: Ranking



The objective of a waiting area is two-fold. Firstly, it improves the user-friendliness of a court complex since it provides a comfortable space for litigants and visitors to await their turn for cases. Secondly, having waiting areas facilitates better movement within a court building, by providing “uninterrupted movement space in front of the courtrooms.”⁴⁶ On waiting areas, the NCMS report says,

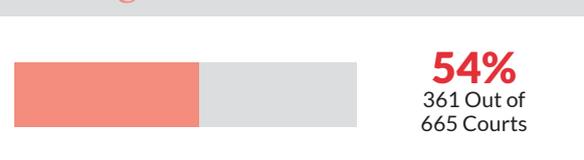
- Every court complex should have a designated waiting areas that is large, well lit and with adequate seating and ventilation.⁴⁷

The survey asked where the litigants waited within the court complex, which was captured by asking:

(a) How many designated waiting areas does the court building have? (C1)

In addition, although not included in the scoring, litigants were also asked about features to improve waiting areas.

Fig. 9: Are There Well-equipped Waiting Areas?

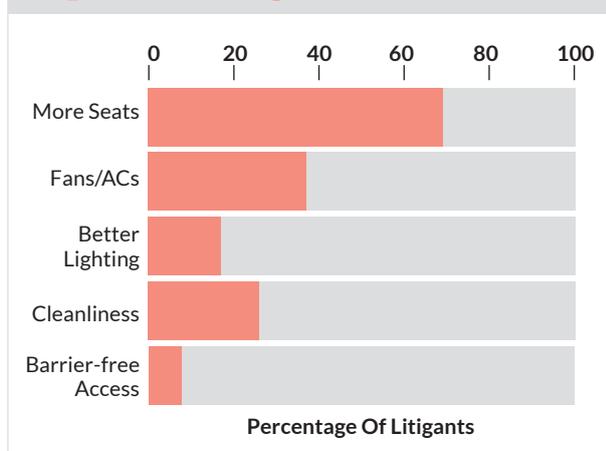


⁴⁶ “Court Development Planning System (Infrastructure & Budgeting)”, *Supra* note 8, pp. 23-24.

⁴⁷ *Ibid.*

Despite being a basic requirement, only 54% or 361 district court complexes had designated waiting areas. Bihar and Rajasthan had the least percentage of court complexes with designated waiting areas. In Bihar, only 6 out of 38 courts (16%) had designated waiting areas, whereas in Rajasthan that number falls to 14% (5 out of 35 courts). Other poorly performing states were Sikkim (25%, or 1 out of 4 courts) and West Bengal (26%, or 6 out of 23 courts).

Fig. 10: Litigants' Suggestions to Improve Waiting Areas



In contrast, all district court complexes in Delhi, Gujarat, Goa, Himachal Pradesh and Meghalaya had designated waiting areas. In Haryana, 21 out of 23 or 91% court complexes had designated waiting areas. The district court complex in Chandigarh had the most number of designated waiting areas (36) followed by Surat, Ahmedabad and Mohali (each having 25 designated waiting areas).

Nationally, litigants reported that more seating (69% or 4602 litigants) and better ventilation (37% or 2468 litigants) were the two major improvements required to waiting areas, followed by cleanliness (26% or 1734 litigants). Given that litigation involves a significant period of waiting in a day, well maintained waiting areas could go a long way in improving the user experience of a court complex and could prevent unnecessary crowding within courtrooms.

IV. Hygiene

The presence of adequate, clean and well-equipped washrooms are essential for ensuring the comfort of all those who are in the court premises. With regard to washrooms, the NCMS report prescribes,

- Separate, well maintained toilets for litigants, visitors and lawyers, segregated by gender.

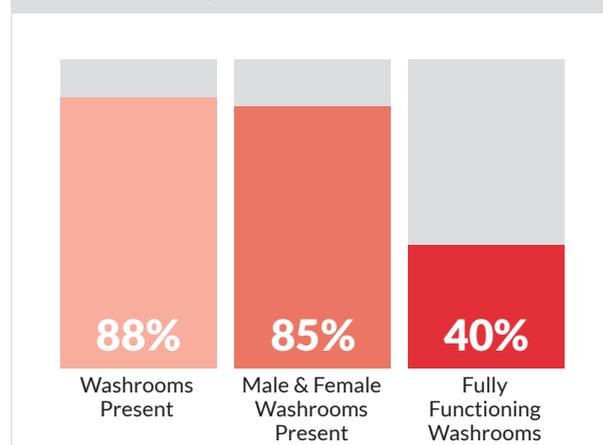
It also mentions areas within the court complex that require washrooms. However it does not elaborate on the essential features of a “well-maintained” toilet. Therefore, while surveying court complexes, the survey attempted to define what would be a “well-maintained” toilet, i.e., one that had running water, and was regularly cleaned.

Due to logistical limitations, field researchers could not visit all washrooms in the court complex. Instead, they surveyed at least one washroom in the court complex to see whether it was fully functioning. To be considered a fully functioning washroom, the survey asked the following questions:

- Are there washrooms for men and women? (C2.1, C2.2)
- Does it have running water? (C4)
- Is there a provision for regular cleaning in the form of either a cleaning chart or designated staff for this purpose? (C5/C6)

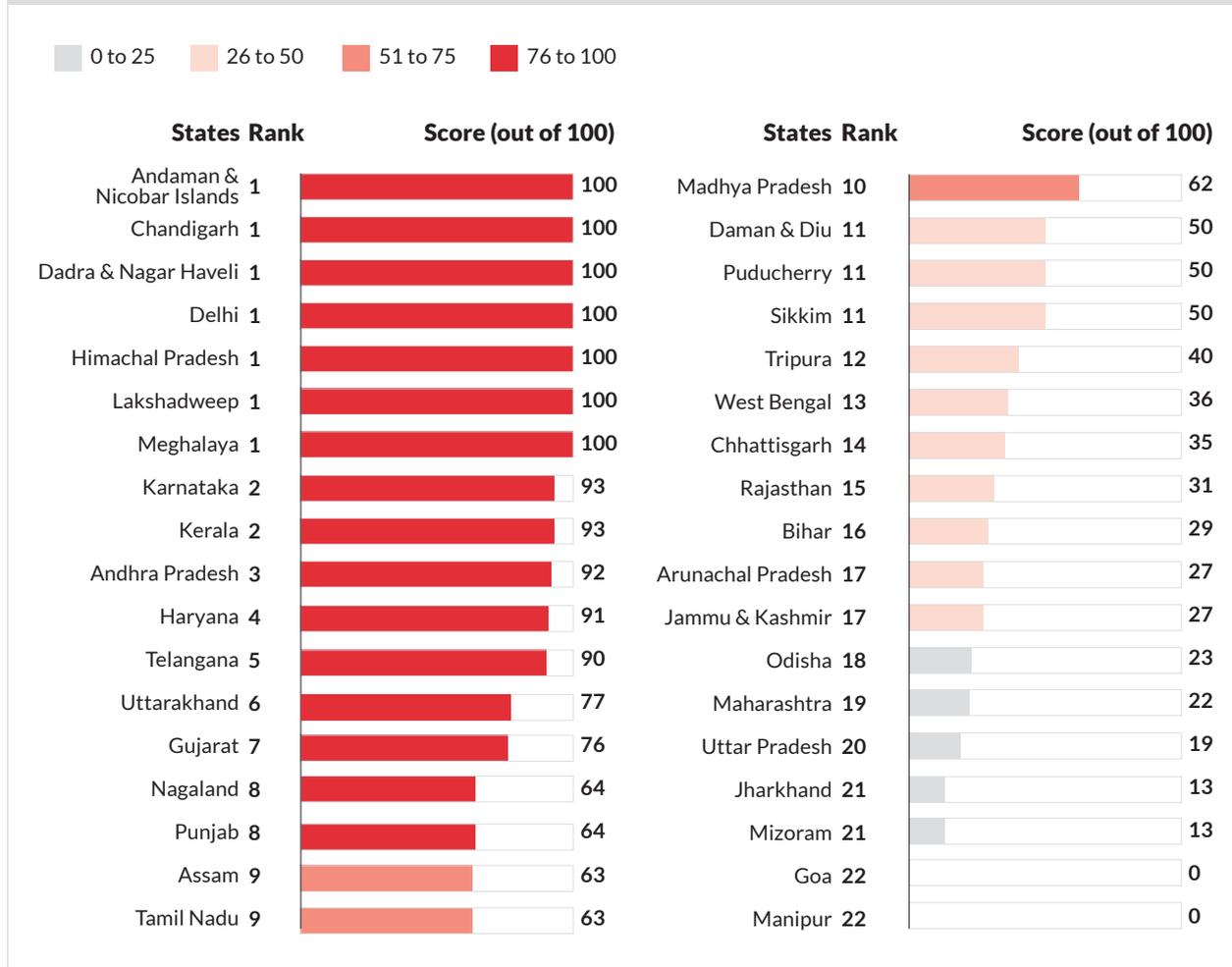
Only if all three features (gender-segregated washrooms, running water, some facility for cleaning) were present, would a washroom be considered fully functioning.

Fig. 11: Are There Clean, Fully Functioning Washrooms?



While 88% or 585 court complexes had washrooms, a significant percentage (15% or 100 court complexes) did not have washrooms for women. In Andhra Pradesh, 69% or 9 out of 13 court complexes did not have washrooms for women. In Odisha (60% or 18 out of 30 court complexes) and Assam (59% or 16 out of 27 court complexes), most court complexes did not have washrooms for women.

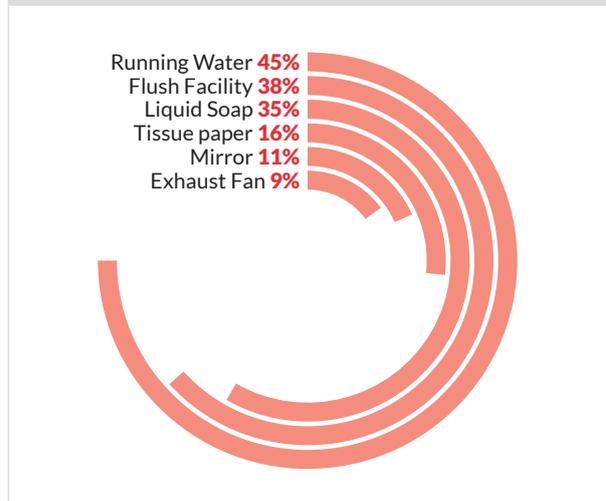
Fig. 12: Hygiene: Ranking



Less than half of the courtrooms surveyed (40% or only 266 out of 665 court complexes) had washrooms that were fully functioning. Although washrooms should be present on each floor, the survey found that only slightly more than half of the court complexes (53% or 354 out of 665 court complexes) met this requirement.

Goa, Jharkhand, Uttar Pradesh and Mizoram had the least percentage of court complexes with functional washrooms. None of the court complexes in Goa had fully functional washrooms: although there were washrooms for both men and women, there was no provision for running water or for regular cleaning. In Jharkhand, only 2 out of 24 court complexes or 8% were fully functional while in Uttar Pradesh, 8 out of 74 court complexes or 11%, and in Mizoram, 1 out of 8 court complexes, or 13%, had fully functioning washrooms. In Jharkhand, the capital Ranchi, did not have washrooms for either men or

Fig. 13: Litigants' Suggestions to Improve Hygiene



women in the district court complex surveyed. Around 100 district court complexes spread across the states of Andhra Pradesh (9), Assam (16), Bihar (8), Chhattisgarh (3), Jammu & Kashmir (2), Jharkhand (2), Maharashtra (1), Madhya Pradesh (3), Manipur (4), Nagaland (1), Odisha (18), Punjab (1), Puducherry (2), Rajasthan (10), Tamil Nadu (4), Uttar Pradesh (7), Uttarakhand (2) and West Bengal (7), did not have washrooms for women.

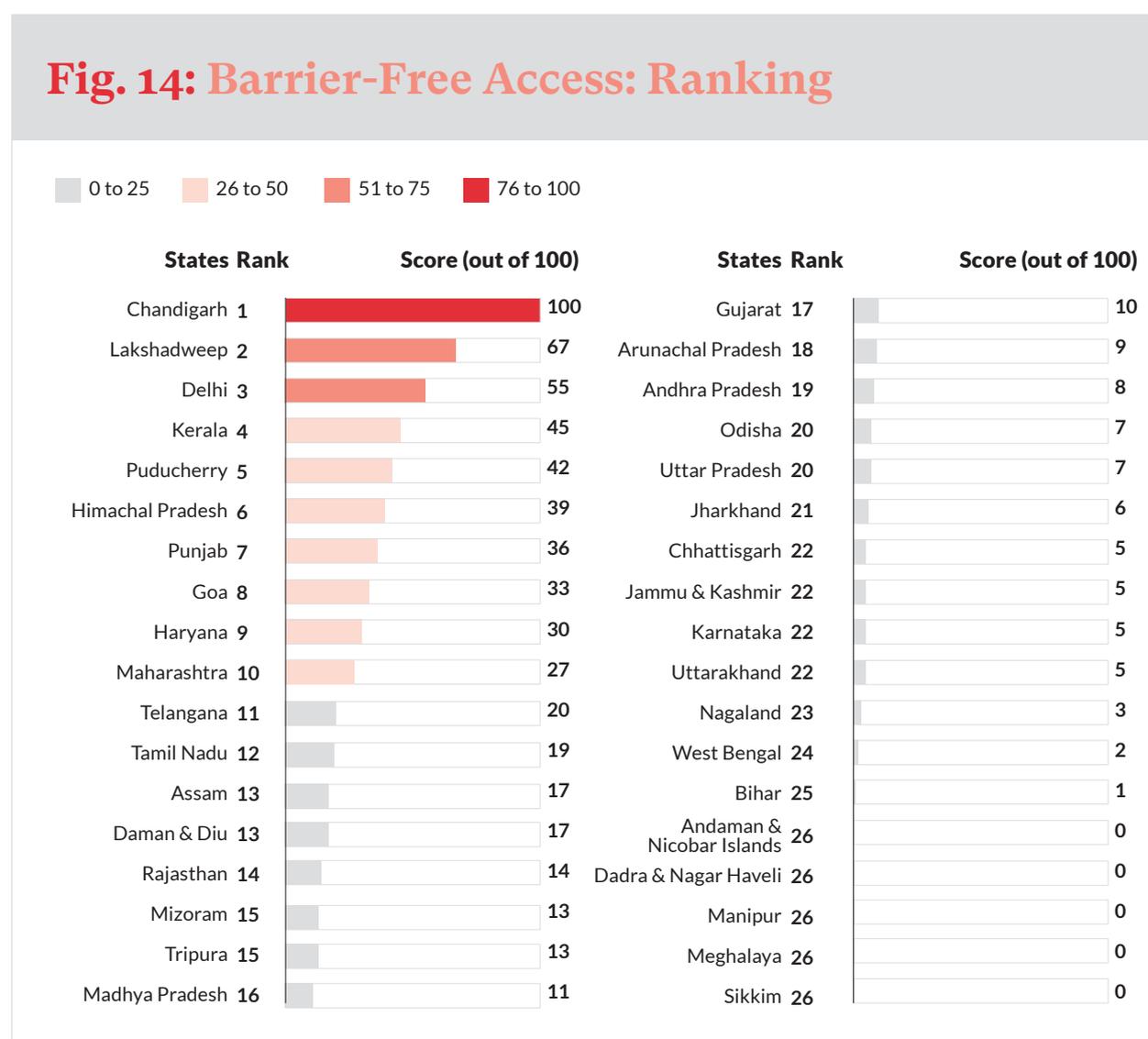
In addition to this, although not included in the scoring, litigants were interviewed about the quality of the washroom and ways in which the services could be improved. 45% litigants said that running water was the key requirement in washrooms followed by flush facility (38%) and liquid soap (35%). Litigant feedback is therefore essential in understanding exactly how services in court complexes are functioning.

The lack of hygiene in court complexes also points to the failure of public schemes. Programmes such as Swacch Nyayalayas that was launched in late 2018 was supposed to, among other things, construct and maintain washrooms across 16,000 court complexes within a span of 6 months. At a time when there is much discussion on the national Swachh Bharat campaign and its emphasis on building toilets in rural areas and villages, the lack of sanitation and hygiene facilities in the court complexes serves as a stark contrast. This also reflects the need for streamlining the functioning of specific schemes and aligning them within the framework of national schemes to ensure better monitoring and accountability.

V. Barrier-Free Access

With regard to access for marginalised users of courts, who are identified as underprivileged persons, persons

Fig. 14: Barrier-Free Access: Ranking



Chapter 3: Findings from the Survey

with disabilities, women and senior citizens,⁴⁸ the NCMS report says,

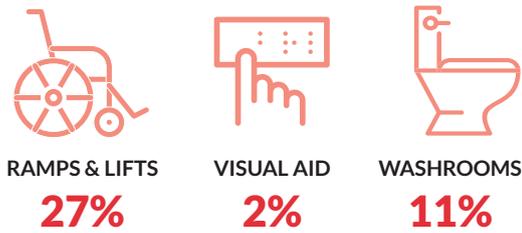
- Court complexes should be easy to access for all and must incorporate a design that is universal and inherently flexible to meet local needs and conditions. It recommends a universal graphic signage systems since it transcends language barriers.
- A court complex must have washrooms that are usable for persons with disabilities.

However, the NCMS report does not provide a comprehensive layout of how to make court complexes accessible beyond these preliminary suggestions. In the absence of a clearly defined baseline for making access to courts barrier free, the survey examined three features, and asked the following questions:

- Is there a ramp present (if required) at any one entry point in the court building and is there a ramp present in the main court building; and where there is no ramp, is there at least a lift? (B3, B5/B6)**
- Are there provisions for persons with visual impairment (tactile pavement and braille notices) at the entry and in the court building? (A12+B10)**
- Is there a washroom for persons with disabilities in the court complex? (C2.3)**

Basic features such as ramps and lifts, tactile pavements and braille notices were the focus in this section. Admittedly, many more features are required to make a court complex holistically accessible, but the objective of the present survey sought to gather baseline information on accessibility, and these were chosen for their relative ease of assessment. Due to logistical limitations, the survey did not examine the slope of the ramps or the area of the lift to check whether it was accessible to persons using wheelchairs.

Ramps should be present at the entry of the court complex. Within a court building, if there are no ramps, then there should at least be working lifts. There should be tactile pavements and notices in braille both at the entrance and within the court buildings.



Most district court complexes performed poorly on the general parameter. Only 27% or 180 court complexes are fully accessible through ramps and/or lifts whereas, only 11% or 73 court complexes have designated washrooms for persons with disabilities and only 2% or 12 court complexes have built in visual aid features. The district court complexes at Chandigarh and Mohali were the only court complexes to have all three features, i.e., ramps and lifts, designated washrooms for persons with disabilities, and visual aid features. Visual aid features were the rarest to find. Only 12 district court complexes had provisions for visual aid at both the entry and the main court building: Chandigarh, Dausa (Rajasthan), Goalpara (Assam), Mahe (Puducherry), Kasaragod (Kerala), Kavaratti (Lakshadweep), Mohali (Punjab), Panchkula (Haryana), Patna (Bihar), Puducherry, Wayanad (Kerala), West Siang (Arunachal Pradesh).

One way of putting public pressure on the judiciary to improve seamless, barrier-free access would be to publish regular accessibility audits of more court complexes under the Accessible India Campaign. Further, institutionalising the process of such audits such that it is conducted at frequent intervals, and at least once in every two years would serve as a useful advocacy tool for building public pressure on the judiciary to ensure barrier-free access.

VI. Case Display

An electronic case display board provides a display of the courtroom number, details of sitting judges, and the ongoing case number, to inform litigants and lawyers. According to the NCMS report,⁴⁹

- An electronic display system on each such floor lobby should inform the litigants and lawyers about the case number going on in each court room. This will help in reducing unnecessary crowding of the courtrooms.
- A large electronic display panel displaying the

⁴⁸ "Court Development Planning System (Infrastructure & Budgeting)", *Supra* note 8, p. 11.

⁴⁹ *Ibid*, p.26.

court numbers and the ongoing court case number has to be put up in the entry area for guidance.

The survey asked whether there is screen displaying all courtrooms on entering the main building, in the waiting areas and in the courtroom, by asking the following questions.

(a) Is there an e-case display board in the court building and in the waiting area? (B13+C2.7)

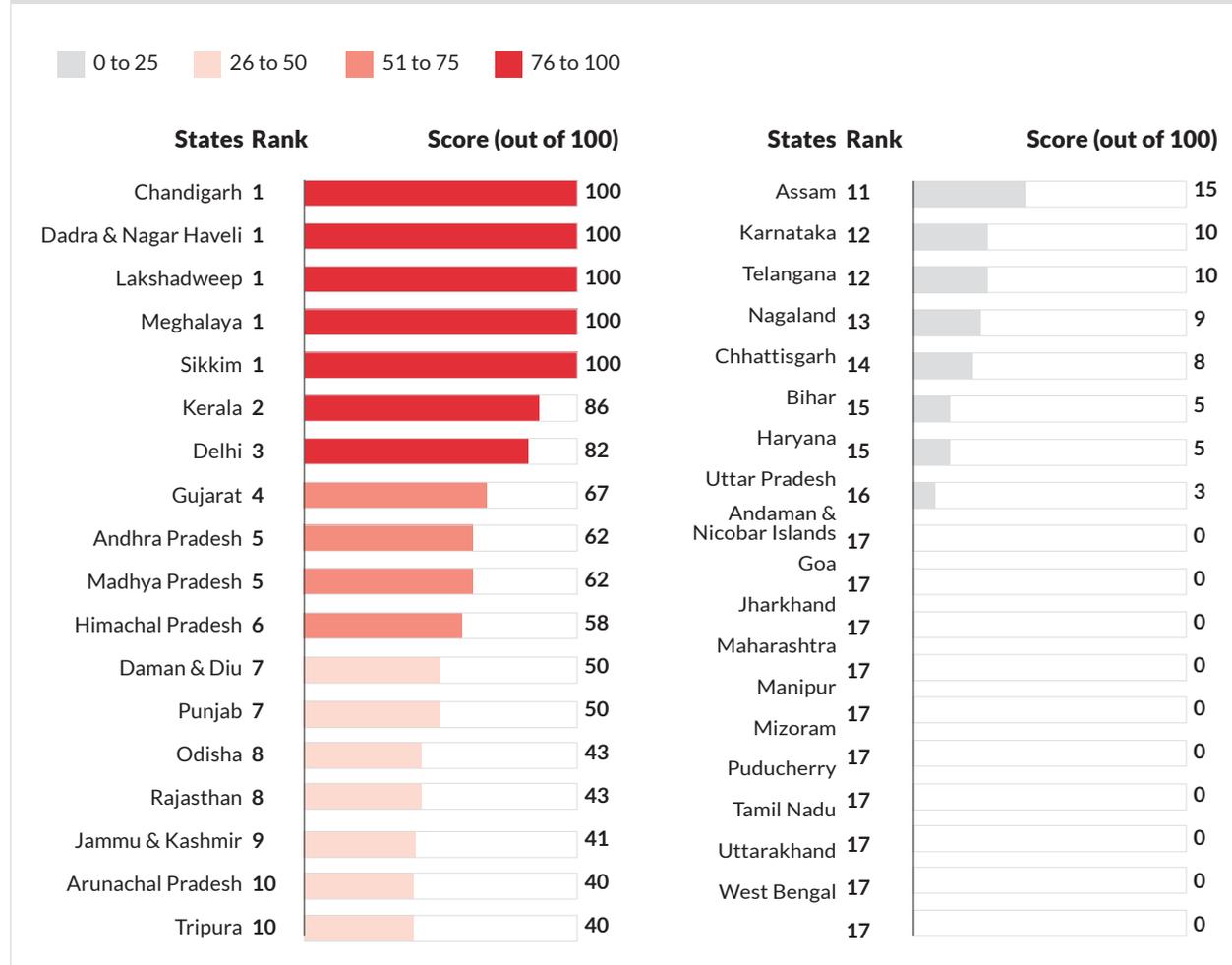
For the data analysis, only if the court complex had an electronic case display board at the entry and in the waiting areas, was it considered as having an electronic case display board. Even if a court had an electronic case display board at the entry and not in a waiting area, or if it was not functioning at the time the survey was undertaken, the answer was recorded in the negative. The objective of the display board is to prevent overcrowding

by making live/real-time case hearing status available to anyone present in the court premises. While 10% of the courtrooms were visited, the presence/absence of display board only in courtrooms was not taken into consideration for the analysis.



Only 26% of the district court complexes had electronic case display boards both at the entrance and in the waiting areas. Court complexes in Chandigarh, Dadra, Kerala, Lakshadweep, Meghalaya and Sikkim were equipped with electronic case display boards while other court complexes did not meet the criteria. None of the court complexes in Andaman and Nicobar Islands, Uttarakhand and Manipur had electronic case display boards. Other states where nearly all district court complexes

Fig. 15: Case Display: Ranking

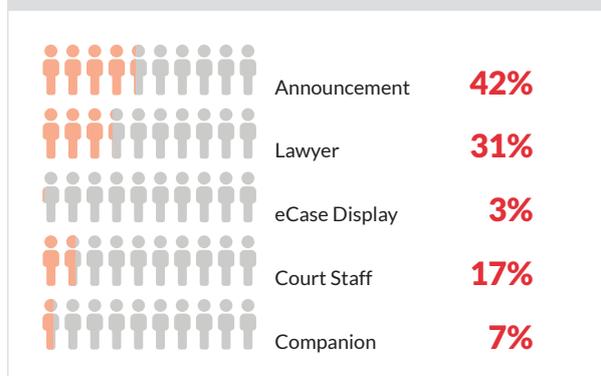


Chapter 3: Findings from the Survey

had this feature were Tamil Nadu (32 out of 36 court complexes), West Bengal (22 out of 23 court complexes), Chhattisgarh (24 out of 25 court complexes), Haryana (21 out of 23 court complexes), and Maharashtra (31 out of 39 court complexes).

When litigants were asked as to how they were informed of their case being called, 86% of them said that they relied on announcements. It cannot be ascertained whether the reason why litigants prefer waiting in the courtroom for their cases to be called is because the case display is not reliable or because they find it more convenient to be in the courtroom itself.

Fig. 16: Litigants Were Notified of Their Cases Via



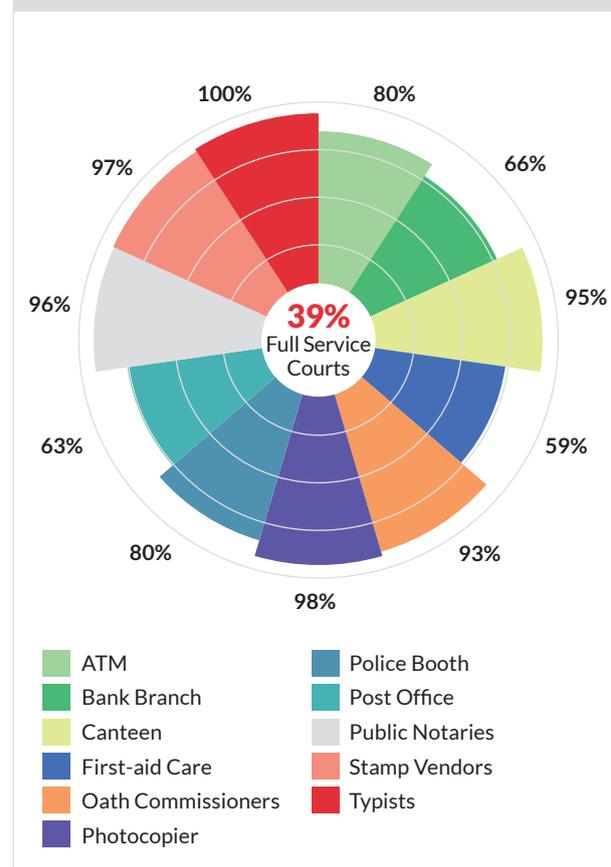
In Andhra Pradesh, Delhi, Gujarat, Himachal Pradesh, Kerala, Madhya Pradesh, Meghalaya, and Punjab, more than half of the court complexes had electronic case display boards.⁵⁰ However, a very negligible number of the litigants interviewed relied on these to be notified of their cases. In Delhi, Andhra Pradesh, Punjab and Gujarat, none of the litigants used electronic case display board, despite the high availability of such boards. In Kerala, Madhya Pradesh and Meghalaya, less than 15% of the litigants relied on such electronic case displays to be notified of their cases, even though more than 50% of the courts had them. This signals the need to re-assess the usefulness of such electronic case display boards itself.

VII. Amenities

The NCMS report envisages the creation of a utility block with support services only for larger court complexes.⁵¹ These are:

- For larger court complexes a Utility Block should be constructed to house various support services for the court block. Such support services may include: central air-conditioning plant (where necessary), electric sub-station, DG sets and related panel structure, repair workshop, maintenance engineers' office, toilets
- A few other services/amenities that ought to be provided are: a post office, a bank branch, a medical centre with provision of an ambulance van, police booth of local police station with adequate strength and size, space for Oath Commissioners, Notaries Public, Typists, Photocopying, Probation officers, Protection officers, Stamp vendors, other governmental agencies.

Fig. 17: What Services are Available in Court Complex?

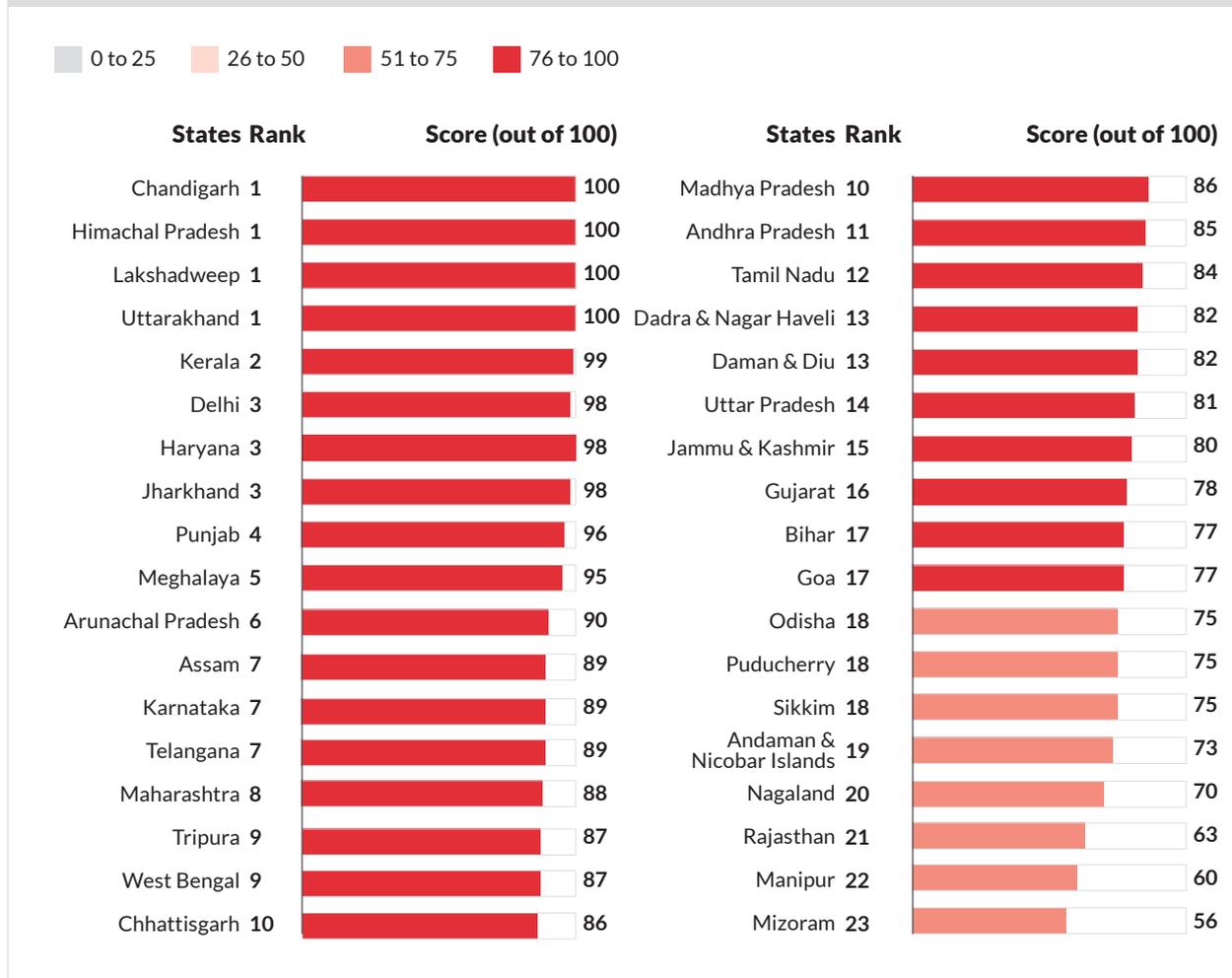


Since the first set of support services designated as “essential services” have more to do with the support

⁵⁰ 62% Percentage of courts which have electronic case display boards are: Andhra Pradesh (62%), Delhi (82%), Gujarat (62%), Himachal Pradesh (58%), Kerala (97%), Madhya pradesh (62%), Meghalaya (100%), Punjab (50%).

⁵¹ Court Development Planning System (Infrastructure & Budgeting) Supra note 8, p. 36

Fig. 18: Amenities: Ranking



and functioning of the court complex itself than for the litigants, and requires accessing spaces that are not available to the public, it is beyond the scope of this study.

The survey narrowed down some of the amenities as most necessary for a litigant during the course of a day while in court, by asking if the following 11 features were present, namely,

- (a) **ATM, bank branch, canteen, first-aid care, oath commissioner, photocopier, police booth, post office, public notaries, stamp vendors, and typists.**

These are the bare minimum facilities that a court complex should provide for a seamless experience for litigants. A 'full service court' was defined as one

where the court complex had all 11 facilities either inside or outside (but closeby) the complex. Only 39% of the courts in India are full service courts. The least provided facilities included first-aid care (59%), post office (63%) and bank branch (65%) while services such as photocopier (100%), typists (98%) and stamp vendors (97%) are mostly available.

Arunachal Pradesh, Chandigarh, Delhi, Haryana, Himachal Pradesh, Jharkhand, Kerala, Lakshadweep, Meghalaya, Punjab and Uttarakhand performed well on the availability of amenities. Manipur, Mizoram and Rajasthan occupied the half-way mark on this parameter.

VIII. Security

Security is an essential requirement in court complexes, particularly to deal with *hartals* or strikes, escaping

Chapter 3: Findings from the Survey

prisoners, or witnesses being threatened. According to the NCMS report,⁵²

The fundamental guiding factors in the design of a court complex would include:

- (a) To provide for the safety and security of judges, administrative staff, litigants, witnesses and under-trial prisoners
- (b) The court complex must be self-sufficient in terms of power backup and other essential services like security and surveillance;
- (c) The entry points must have security personnel with access control equipment, a multi-gated security system⁵³, continued security at all vulnerable points including night vision cameras at entry points and other important spots.⁵⁴
- (d) The entry points should have the provision of baggage scanning/metal detectors present.⁵⁵
- (e) A fire safety system comprising of fire-alarms, smoke detectors and sprinklers are recommended to handle emergencies.⁵⁶
- (f) The waiting areas are also to be equipped with fire stairs and fire exit location maps.⁵⁷

To understand how secure a court complex is, the survey asked the following questions:

- (a) Is there a working baggage scan at the main entrance or at the entry to the court building? (A8+A9 or B8+B9)
- (b) Is there a fire extinguisher anywhere in the court building? (C2.8)
- (c) Is there an emergency exit sign anywhere in the court building? (C2.9)

Three aspects of security were grouped thematically: baggage scanning facility, emergency exit signages, and fire extinguishers. The survey covered additional questions which were not included in grouping and analysis for specific reasons. Information on separate entryways for lawyers, judges, litigants and prisoners

were not analysed since there could have been court complexes where all entries were not accessible to the general public. Thus, even where a field researcher has recorded that there were no separate entries, it could have been because the entry was not accessible to them. Even though information on whether the entry points had closed-circuit television (CCTV) cameras was collected, this was not considered, partly because in some cases, it may not have been possible for field researchers to properly locate such cameras if they are hidden or otherwise obscured. Similarly, the survey asked whether power-backup related equipment was available, but as they may not always be located in publicly visible areas, this data point did not feature in the analysis.

For the purposes of the survey, if there was a working baggage scanning equipment at the entry to the complex or in the main building it was considered to have met the basic requirement. The court complex was also surveyed for whether there were fire extinguishers, although the number of such devices was not recorded. Lastly, if emergency exit signages were present, then the court complex was deemed to be more secure.



BAGGAGE
SCAN

11%



FIRE
EXTINGUISHER

71%



EMERGENCY
EXIT SIGN

48%

Only 11% of the court complexes surveyed had a working baggage scanning facility, while 71% had fire extinguishers and 48% had emergency exit signs. 16% of the court complexes had a baggage scanning facility at the main entry while 14.2% of them had it inside the court building. Andhra Pradesh, Bihar, Goa, Manipur, Mizoram, Orissa and Tripura did not have a baggage scanning facility in any of the court complexes, both at the main entrance and inside the court building. States

⁵² "Court Development Planning System (Infrastructure & Budgeting)", *Supra note 8*, p.11

⁵³ *Ibid*, p.17.

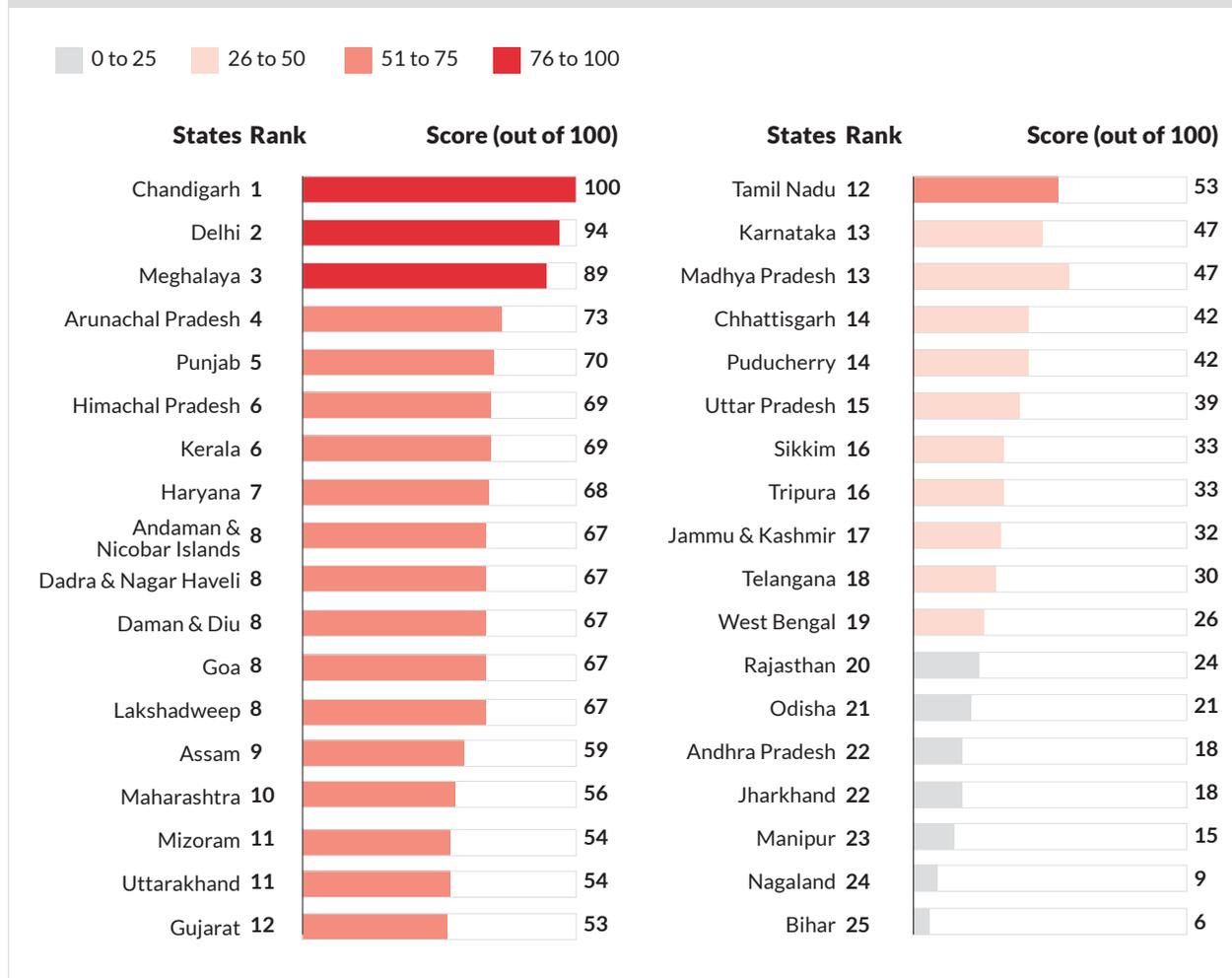
⁵⁴ *Ibid*, p. 33.

⁵⁵ *Ibid*, pp.28- 29.

⁵⁶ *Ibid*, p.17.

⁵⁷ *Ibid* p. 24.

Fig. 19: Security: Ranking



that did not have the facility in most court complexes were Bengal (22 out of 23), Chhattisgarh (24 out of 25), Gujarat (32 out of 33), Jharkhand (23 out of 24), Madhya Pradesh (49 out of 50), Rajasthan (34 out of 35).⁵⁸ Andaman and Nicobar Islands, Dadra and Nagar Haveli, Daman and Diu and Lakshadweep also did not have this facility.

The deployment of security personnel at the entrance could be a reason for the poor performance of most states as far as availability of baggage scanning is concerned. However, considering the large footfalls in court complexes on a daily basis, it is not practical for security personnel to thoroughly check baggage in the same manner that an equipment does.

Fire extinguishers are absent in about 29% of the court complexes while emergency exit signs were absent in 52% courts. Overall, states like Andhra Pradesh, Bihar and Nagaland did most poorly in providing secure spaces, followed by West Bengal, Manipur, Orissa, Rajasthan. Union Territories that performed most poorly were Puducherry and Andaman and Nicobar Islands. Delhi, Meghalaya, and Chandigarh did well on security metrics.

IX. Website

The websites corresponding to every district court complex that was surveyed in person were also

⁵⁸ Bengal (96%), Chhattisgarh (96%), Gujarat (97%), Jharkhand (96%), Madhya Pradesh (98%), Rajasthan (97%),

Chapter 3: Findings from the Survey

studied for the availability of basic information⁵⁹. The NCMS report details the requirements of a court website from the perspective of a litigant looking for information. Dissemination of information relating to the case via the website, the report NCMS argues,⁶⁰ is a preferred mode as it limits person-to-person interactions, is easy to access, and saves time. The NCMS states that,

■ There are three ways in which a litigant can directly obtain information from the court. They are – (1) via the facilitation centre in the court premises; (2) via e-mail; and (3) via the website. Since the first two alternatives require person-to-person interaction, it would be time consuming involving time-lags. Thus, dissemination of information through the court website would be the preferred mode. Towards this end, the court website would have to provide:-

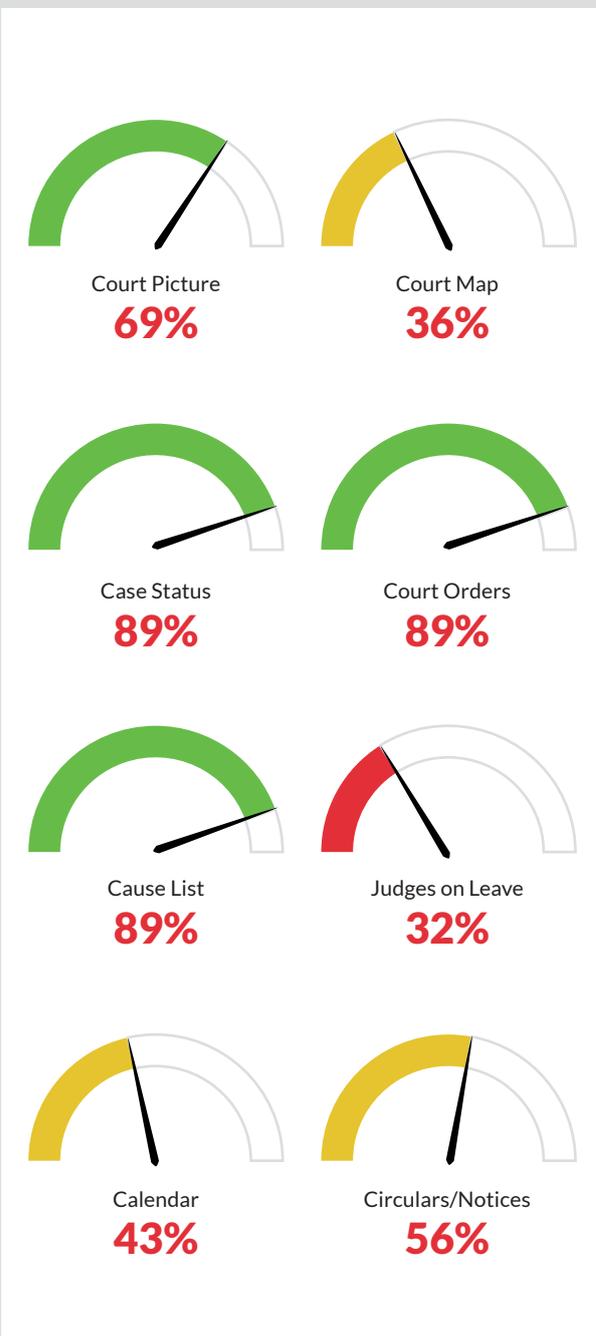
- (a) Court information
- (b) Virtual tour
- (c) Cause lists
- (d) Roster
- (e) Display Board
- (f) Court fees
- (g) Case status
- (h) Orders and judgments in pdf /digitally signed
- (i) Online forms for applications for urgent listing, inspection, process fee etc.,
- (j) Certified copies
- (k) Online filing
- (l) Webcasts (not necessary but recommended, for greater transparency of court hearings)
 - i. Live streaming of court cases
 - ii. Archived court cases
 - iii. Court functions (High Courts)
 1. Swearing in of Judges
 2. Full court references

The survey restricted itself to the availability of basic information for litigants. It asked whether the websites had 8 functionalities:

- (a) **Court picture, court map, case status, court orders, cause list, judges on leave, calendar, and circulars/notices.**

89% of the websites uploads cause lists, case orders

Fig. 20: Is the Court Website Informative and Useful?

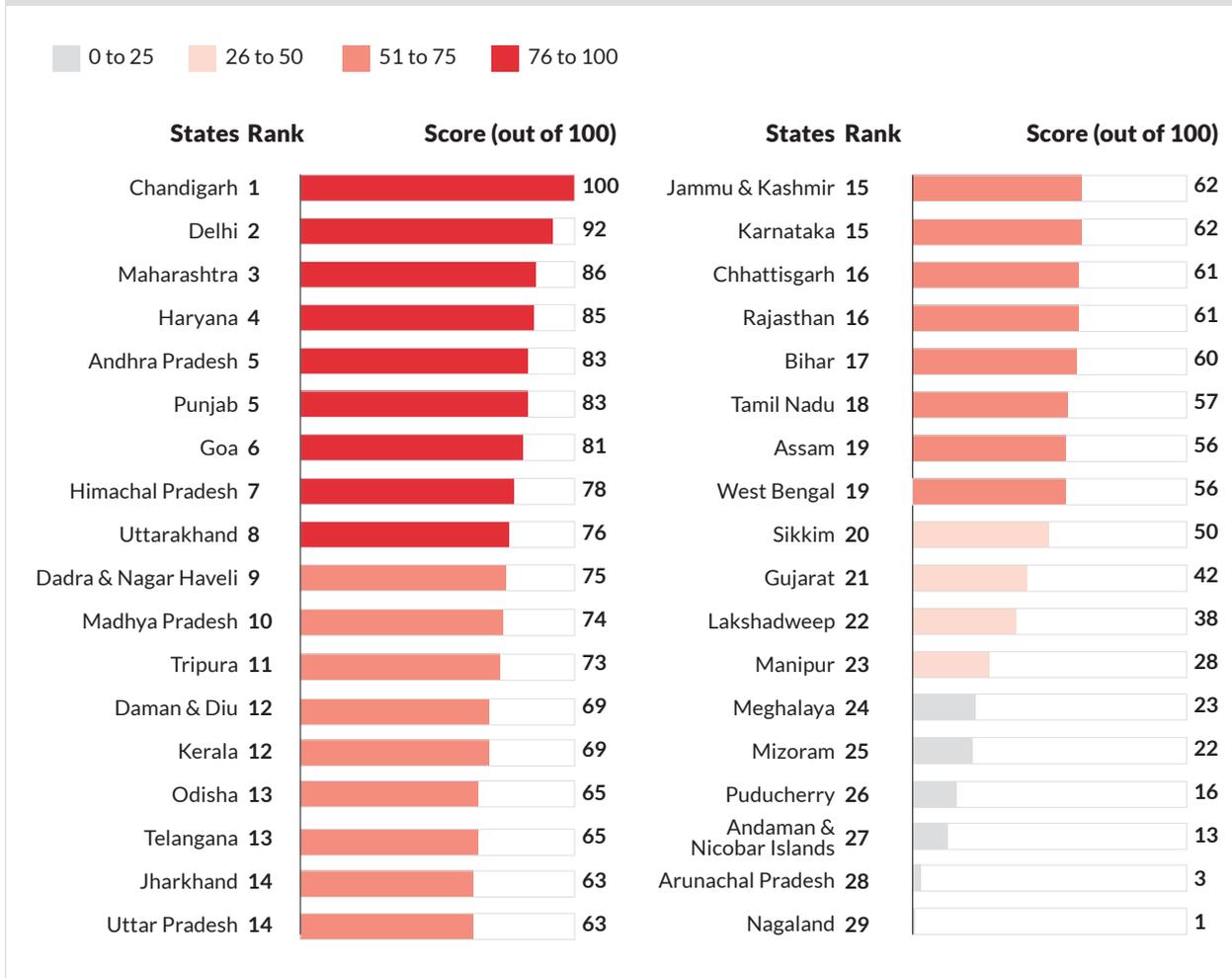


and case status. However, court maps and judges on leave were the least available feature at 36% and 32%, respectively. All court complexes in Chandigarh and Delhi had websites with all 8 features present. Websites of court complexes in Andhra Pradesh,

⁵⁹ The websites of the following district court complexes was not functioning on the date of the survey:- Charkhi Dadri (Haryana), Chikkamagaluru (Karnataka), Tamenlong and Chandel (Manipur).

⁶⁰ *Court Development Planning System (Infrastructure & Budgeting)*, *Supra* note 8 p. 52.

Fig. 21: Website: Ranking



Goa, Haryana, Maharashtra and Punjab had most of the features present. Websites of court complexes in Andaman and Nicobar Islands, Arunachal Pradesh and Nagaland did not have any of these features present. Manipur, Meghalaya, Mizoram and Puducherry follow close behind, where websites had the court picture and map, but none of the other features that help a user navigate these websites. Notably, most states in the north-east region did not even have a functional website for many district courts.

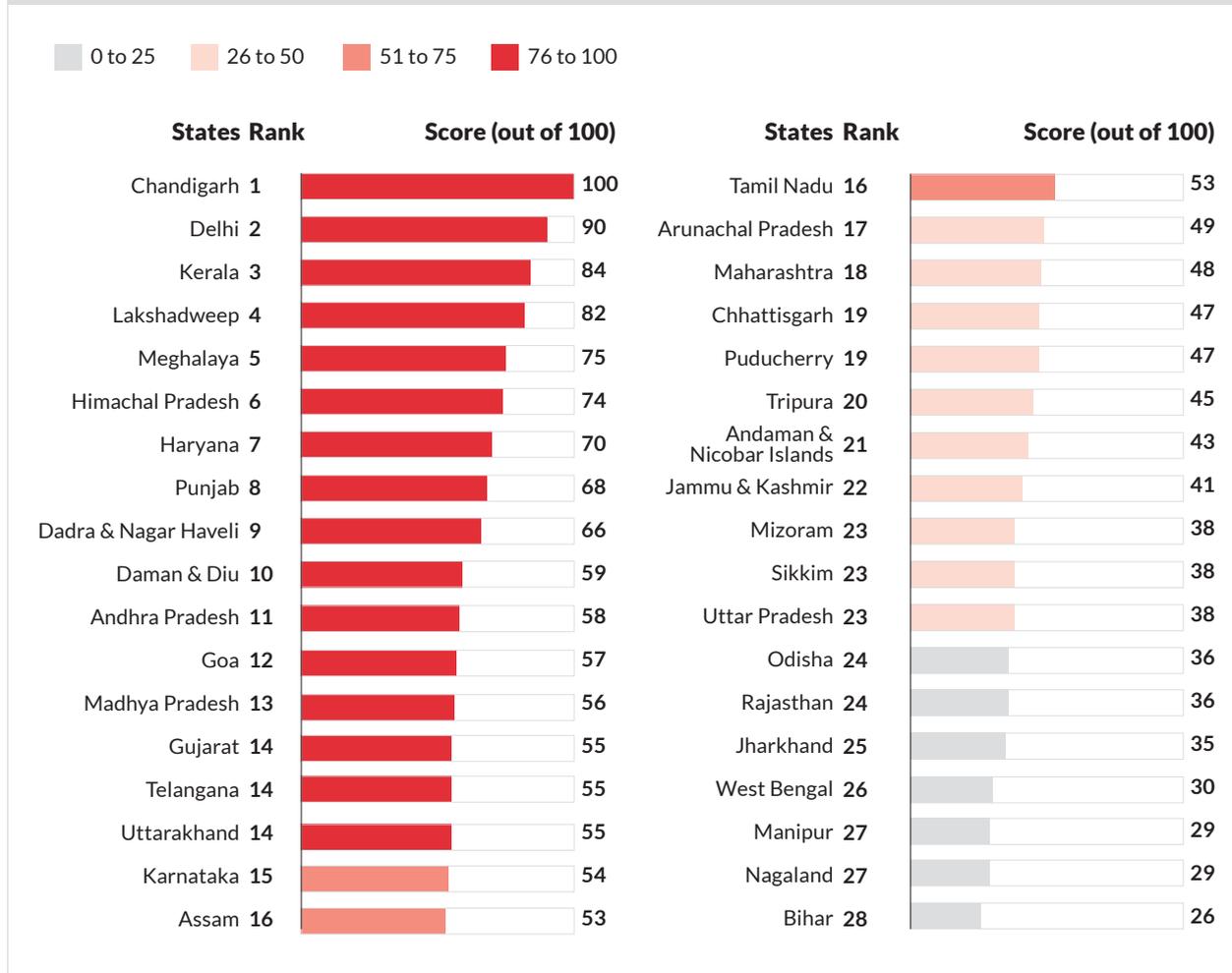
At a time when the e-courts project seeks to optimise the use of technology in the judiciary, courts should be making their websites more interactive and inclusive for all, where users can seamlessly file online applications, figure out case status, download orders and judgements. Instead, many court complexes in India still have no functional websites to browse.

X. States Overview

India is a long way off from having world-class courts. The survey shows that only one state (Delhi) and one Union Territory (Chandigarh) have court complexes that meet NCMS standards. Overall, Delhi (90%), Kerala (84%), Meghalaya (75%), Himachal Pradesh (70%) and Haryana (70%) were the best performing states across all parameters. The district court complexes in Chandigarh (100%) and Lakshadweep (82%) were the best performing among Union Territories.

States with the poorest judicial infrastructure were Bihar (26%), Manipur (29%), Nagaland (29%), West Bengal (30%) and Jharkhand (35%). District court complexes in Andaman & Nicobar Islands (43%) and Puducherry (47%) were the worst performing among Union Territories.

Fig. 22: Overall Ranking



Certain key trends emerge from the performance of each state across these nine parameters. States with the poorest infrastructure appear to be congregated in the eastern part of the country. A closer examination of the reasons for such poor performance is warranted, and arguably, more resources and better management may be needed for the improvement of judicial infrastructure in these parts.

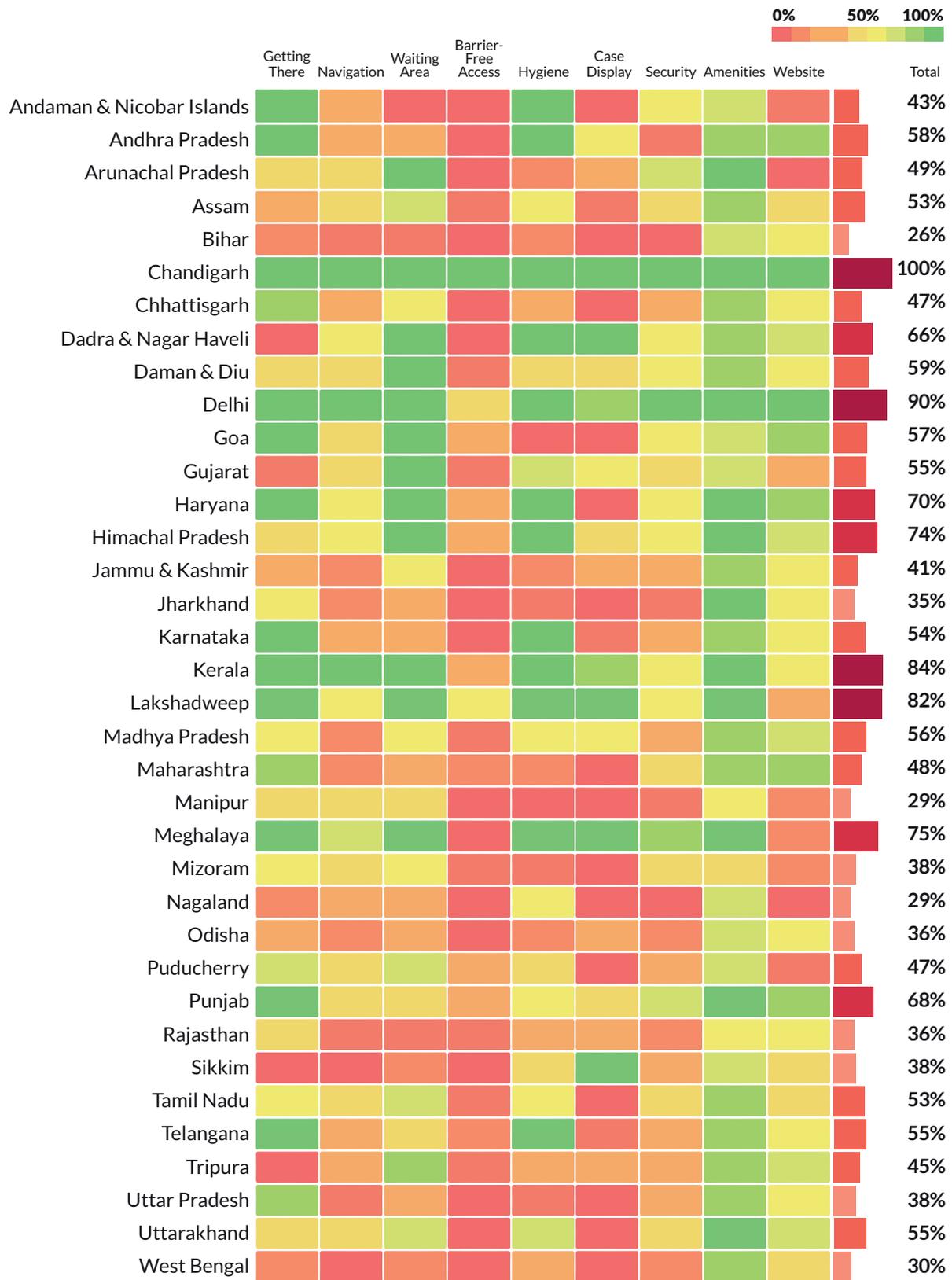
Equally, it is important to understand why certain states did well in the survey. For example, the district court complex in Chandigarh stands out as an outlier court complex, consistently performing well in all parameters that were surveyed. It would be useful to understand what the district and judicial administration in Chandigarh has done right to reach these standards. However, being a single district court

complex, it is easier to administer and modernise.

Similarly, though Delhi has outshone other states in most parameters, it cannot be overlooked that being the capital of the country, it receives far more attention in every sector, which is its prime advantage. Other states do not get this preference in comparison. A well performing state without the advantage of being the national capital and therefore, worth pointing out is Kerala. While its overall score is 84%, it scores between 90-100% in five out of the nine parameters. These parameters are- Getting There, Navigation, Waiting Area, Hygiene and Amenities.

Quite naturally, states with lesser number of district courts perform better than states with a greater number of courts. Based on the number of district

Fig. 23: India: Performance Across Parameters



court complexes in a state, they can be categorised as small (less than 15 complexes),⁶¹ intermediate (16-30 complexes)⁶² and large states (more than 30 complexes).⁶³ While the average score for small states was 55.42%, that of the intermediate and large states were 48.22% and 44.57% respectively. This reflects that states have varying degrees of administrative challenges in improving court infrastructure and smaller states have a clear advantage over larger ones in this regard. It would also be unfair to compare differently-sized states with each other. For instance, comparing the performance of a small state like Kerala to a large state like Uttar Pradesh is problematic given that these states have vastly different organizational, supervisory and regulatory challenges. A better way to make sense of such performance would be to compare similarly placed states to evaluate performance and learn about best practices, if any.

Amongst the relatively well-performing states, performance on certain parameters is consistently poorer compared to others. One such parameter is Barrier-Free Access. Delhi, Himachal Pradesh, Haryana, Kerala and Meghalaya on this parameter are below the 50% benchmark (in other words, less than half the district court complexes met the requirements listed under this parameter). Similarly, in Hygiene, more than half the district court complexes are below the same mark with only Andhra Pradesh, Haryana, Himachal Pradesh, Karnataka, Kerala, Meghalaya and Telangana in states and Andaman and Nicobar Islands, Dadra and Lakshadweep in Union Territories obtaining above 90% score. Another such parameter where more than half the district courts (of 19 states) are performing under the 50% is Case Display. It is seen that only Delhi, Kerala, Meghalaya and Sikkim have scores above 90% among states while Chandigarh, Dadra and Lakshadweep have the same score among the Union Territories. Almost all states, including the poorer performing states, such as Bihar, Manipur, Nagaland, West Bengal and Jharkhand are doing comparatively well (above 50%) in making additional amenities such as canteen, notaries, post

available, which shows that utility blocks within court complexes is a relatively available feature amongst all the parameters studied.

On observing the responses from the litigants, it is seen that even where some of the facilities are available, most often people choose to not utilise them. A notable example in this regard is the discrepancy in the availability and use of electronic case display board. 26% of the district courts are equipped with electronic case display boards. However, 42% of the litigants responded that they were notified of their case via announcements in the courtroom. This could also be an indication of ill-equipped waiting areas with inadequate seating capacity that forces litigants to wait in the courtroom. 31% of the litigants relied on lawyers to inform them regarding their hearing and only a 3% of total litigants relied on such electronic case display board. Another rationale behind such rejection of available facilities could be because these boards may be not immediately updated resulting in not reflecting the actual case that is ongoing in the courtroom or because they stop functioning and are not fixed promptly.

The value addition of litigant feedback that helps in tracing the issues associated with court infrastructure is immense, as the survey results suggest. It cannot be stressed enough how important it is for policy makers to consult representatives from all sections of the general public before bringing about any systemic or structural change. For litigant interviews, unfortunately, the field researchers were unable to identify enough number of litigants with a form of disability to understand from them how courts must become more inclusive. This is also reflective in the responses where only 8% of the total litigants interviewed felt that the court complexes must improve access for persons with disabilities. This is very likely because the interviewees themselves may not have required any additional physical support to move around the court complex or utilise any of its facilities, and therefore, did not perceive the need for such additions or modifications.

⁶¹ Small states along with the number of courts in each state are- Andhra Pradesh (13), Arunachal Pradesh (15), Delhi (11), Goa (2), Himachal Pradesh (12), Kerala (15), Manipur (9), Meghalaya (6), Mizoram (8), Nagaland (11), Sikkim (4), Telangana (10), Tripura (5), Uttarakhand (13).

⁶² Intermediate states along with the number of courts in each state- Assam (27), Chhattisgarh (25), Haryana (23), Jammu & Kashmir (22), Jharkhand (24), Karnataka (29), Odisha (30), Punjab (23), West Bengal (23).

⁶³ Large states along with the number of courts in each state- Bihar (38), Gujarat (33), Madhya Pradesh (50), Maharashtra (39), Rajasthan (35), Tamil Nadu (36), Uttar Pradesh (74).

Chapter 4: Policy Recommendations

The goal of the Indian judiciary should be to have world-class court complexes available to litigants at the lowest level of the court system. This study shows that India has a long way to travel to get to that goal.

Rather than using this survey to point fingers at stakeholders or state administrations, this survey's usefulness lies in helping identify ways to improve court infrastructure. It will be particularly useful for enabling courts and state governments make better decisions about budget allocation and prioritising expenditure on the highlighted parameters. An

analysis⁶⁴ of budgetary allocation through CSS suggests improper financial management in terms of planning and coordination.

Beyond budgetary allocation and efficient and prudent financial management, multiple stakeholders can implement several other ideas to make systemic and structural improvements to court infrastructure. This section lists some reform ideas. These recommendations are segregated by timelines (short-term and long-term), and by the stakeholder that is best positioned to execute and implement the recommendation.

Department of Justice, Ministry of Law and Justice, Government of India, along with various State Departments of Law

Recommendation

The Department of Justice at the central level can coordinate with the State Law Departments on the following actions:

Short Term

1. Publish an official list of all district and sessions courts and subordinate courts in India along with geo tagging, to enable easy location of court complexes.
2. Publish a detailed break-up of judicial budget and utilisation annually in addition to information about utilisation and unspent balances.
3. All judicial data in the public domain should be error-free, in formats (e.g., .csv) that support aggregate research studies.
4. Coordinate the upgradation of district court websites, including designing them to be accessible to persons with disabilities.

Long Term

1. Conceptualise a scheme for renovation and maintenance of older, existing court complexes, to align with Universal Design principles.
2. Create a platform on existing the Bhuvan-Nyaya Vikas portal to generate feedback loop from users of court complexes. Such a platform should provide features where a user can upload photos of courts, write complaints, etc.

Supreme Court

Recommendation

Short Term

1. Re-constitute the NCMS committee with the goal of revising the baseline set in 2012, with inputs from all key stakeholders.
2. Prioritise revamping facilitating all judicial services in line with the accessibility checklist released by Department of Empowerment of Persons with Disabilities. This would include making sure that all communication, i.e. orders, judgements, notices are in a format accessible

⁶⁴ Chitrakshi Jain, Shreya Tripathy, Tarika Jain, "Budgeting Better for Courts: An Evaluation of the 7460 Crores Released Under the Centrally Sponsored Scheme for Judicial Infrastructure", available at <https://vidhilegalpolicy.in/>. (2019)

Chapter 4: Policy Recommendations

websites are user-friendly to persons with disabilities.

3. Focus on the upgradation and improvement of older existing courts.

Long Term

1. Mandate all High Courts to submit annual infrastructure status reports, with information on budgetary spends, and steps taken for the maintenance and renovation of existing court complexes, in addition to building new ones.
2. Improve cross-country conversations about judicial infrastructure, by encouraging High Courts to share best practices and experience in this area.

High Courts

Recommendation

Short Term

1. Oversee the setting up of infrastructure grievance redressal cells in District Courts along with an online complaint portal where the general public can report their grievances.

Long Term

1. Conduct or commission periodic audits of District & Subordinate court complexes.
2. Mandate all District Courts to submit annual infrastructure status report, with information on budgetary spends, and steps taken for the maintenance and renovation of court complexes.
3. Set-up an incentive scheme to reward District Courts that provide high quality judicial infrastructure.
4. Encourage information-sharing amongst district court complexes regarding infrastructure upgradation and maintenance

District Courts

Recommendation

Short Term

1. Set up an infrastructure grievance redressal cell and designate an appropriate authority from the Registry within the court complexes.
2. Prepare annual reports on infrastructure, based on requirements laid down by parent High Courts.

3. Proactively inform parent High Courts, state Departments of Law, and other relevant administrative authorities regarding infrastructure requirements, with a focus on user-friendliness.

Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India

Recommendation

Short Term

1. Conduct and publish accessibility audits of all subordinate Courts and High Courts.
2. Provide expert feedback to the Supreme Court on revising the 2012 NCMS baseline report.

Long Term

1. Provide periodic information to relevant authorities on changing norms and specifications of structures in tune with the research and scientific advancements in this sector.

Ministry of Drinking Water and Sanitation, Government of India

Recommendation

Short Term

1. District court complexes with no water facilities in washrooms to be identified and addressed on a priority basis.

Long Term

1. Re-vitalise the Swachh Nyayalaya project in coordination with the Supreme Court.

Ministry of Housing and Urban Affairs

Recommendation

Short Term

1. Coordinate and consult State Road Transport Corporations to improve access to district court complexes via public transport.

Long Term

1. Ensure seamless connectivity to district court complexes by ensuring last mile connectivity for passengers across multi-modal forms of public transport.

Civil Society Organisations

Recommendation

Short Term

1. Collate and publish data on court infrastructure as available.

Long Term

1. Partner with stakeholders to generate public awareness around infrastructure and access to justice. Proactively engage with persons with disabilities and groups fighting for their rights to pressurize courts to improve infrastructure to address their needs.
2. Conduct regular social audits of court complexes and related public spaces

National Sample Survey Organization, Ministry of Statistics and Programme Implementation

Recommendation

Long Term

1. Review existing surveys and develop a comprehensive questionnaire for assessing court infrastructure.

Lawyers and Litigants

Recommendation

Long Term

1. Proactively generate public feedback on judicial infrastructure by raising critical issues, uploading photographs, filing complaints as evidence of poor facilities wherever possible.

While these recommendations are only a starting point in thinking about systemic reform, large scale improvements to judicial infrastructure can only happen by way of a concerted push by a range of actors, and by a periodic assessments of efforts made in this direction. Key to this will be to revise the NCMS guidelines based on recent developments that have taken place to improve our understanding of how public spaces should be designed to make them more welcoming, accessible, and purpose-driven.

Certain initiatives that have already been launched need to be revitalised and taken further on a war footing. The Swachh Nyayalaya project is a case in point. There also needs to be more emphasis on improving old court infrastructure apart from building newer court complexes. This is particularly important given the constraints on the availability of land and other resources integral to the creation of new court infrastructure.

More attention also needs to be paid to court infrastructure as an issue affecting judicial performance, and should be treated at par with pendencies and delays, given its direct, tangible impact on access to justice.

Finally, the survey and its results also show that policymakers need to introspect more deeply on

what seem to be mundane questions of public infrastructure. This study has shown a great deal more than the many ways in which the infrastructure of Indian courts is wanting. Surely, the quest for realising lofty ideals such as the rule of law ought to begin with matters as basic as ensuring that courts have signages for the illiterate, barrier-free access for persons with disabilities, and toilets for women. This study reminds us that India is very far from achieving this ideal. If the spaces where justice is to be sought are intimidating or uncomfortable to women, to the elderly, or to persons with disabilities, surely no one can truthfully say that justice is being served.

It may be evident, but a reminder is always useful: our courtrooms need to become true levellers. They must be designed to welcome people of all kinds and sorts, regardless of age, gender, caste, and education. These spaces should reassure visitors that their voices/opinion will be heard, and give them the confidence to stride into the hallways of our courts, and demand true, unbiased justice. This will happen when we have courtrooms with at least ramps and lifts for persons who cannot climb stairs, signboards that can be understood by persons who cannot read or see, and clean washrooms with running water. This study is one step along the road towards making that happen.

Annexures

Annexure 1: Survey of Physical Infrastructure of District Courts in India - 2018

STATE
DISTRICTS
NAME OF COURT COMPLEX
TOWN/VILLAGE
DATE OF VISIT
TIME OF VISIT
NAME OF SURVEYOR

A. ENTRY TO COMPLEX			
A1	PLEASE TAKE PHOTO OF COURTE NTRANCE AND SIGNAGE FROM OUTSIDE	YES (TICK - √)	
A2	How many entry points does the court complex have?	Record total number-	
A3	How many entry points have guide maps at entry?	Record total number-	
A4	Separate entry for:	Lawyers - YES/NO	
		Judges - YES/NO	
		Public/ Litigants -YES/NO	
		Prisoners/under trials - YES/NO	
A5	Do primary entry points used by general public/litigants have CCTV cameras?	(Y/N)	
A6	Is a ramp present for at least one entry point?	(Y/N/Not Required)	
A7	Does the entry gate have covered roof to protect people waiting in queues from rain/sunlight?	(Y/N)	
A8	Does the court complex have bag scanning provision? (belt type scanner)	(Y/N)	
A9	IF YES - Is it working?	(Y/N)	
A10	Does the court complex have board/s with directions to take for example- for main court complex, canteen, lawyers' block etc.?	1- YES - Proper PROPER MEANS-ALL STRUCTURES OF THE COURT COMPLEX IN THE SIGNAGE 2- YES but Not Proper 3- NO	
A11	If A10 is coded 1 or 2 - Are the signage in the following languages: (TICK - √)	Local	
		English	
		Hindi	
A12	Are the following provisions available for persons with visual Impairment	Tactile pavement-Y/N	
		Instructions/notices in braille -Y/N	
A13	Is there a help desk in the court complex?	(Y/N)	
A14	IF YES, is there a person manning this help desk/general info desk/assistance desk/inquires?	(Y/N)	

B. COURT BUILDING

B1	Are all courtrooms located in a single building?	(Y/N)	
B2	IF NO, how many buildings are they located in?	Record total number-	
B3	Is a Ramp present for at least any one entry point into the court building?	(Y/N/Not Required)	
B4	How many floors does the main court building have?	Record total number-	
B5	Does the court building have a lift?	(Y/N)	
B6	Is ramp present for all floors of the court building?	(Y/N)	
B7	Is there baggage scanning provision at the entrance/s to the main court building(s)?	(Y/N)	
B8	If yes, is the baggage scanning provision working?	(Y/N)	
B9	Is there a floor map/guide map provided in the main court building(s)?	(Y/N)	
B10	Are the following provisions available for persons with visual Impairment	Tactile pavement-Y/N	
		Instructions/notices in braille - Y/N	
B11	Is there a help desk in the court building?	(Y/N)	
B12	If yes, is there a person manning this help desk?	(Y/N)	
B13	On entering the main court building/s, is there a TV screen depicting case display of all courtrooms?	(Y/N)	

C. WAITING AREAS

C1	Does the Court Building have any designated waiting areas for the general public/litigants?		
C1.1	If Yes, How many:		
C1.2	If No, is there any seating available for the general public/litigants anywhere in the building?		
C2	Are the Following facilities present within/around the waiting area or in the court Building(s) for the General Public/litigants:	1- Washroom for Men- Y/N	
		2- Washroom for Women- Y/N	
		3- Washroom for Disabled- Y/N	
		4- Air Conditioned/Heating- Y/N	
		5- Drinking Water -Y/N	
		6- Dustbins -Y/N	
		7- Electronic case display (screen depicting case status in the Court-rooms)- Y/N	
		8-Fire Extinguisher-Y/N	
		9-Emergency Exit Signage in Walk-ways & Halls-Y/N	
C3	Are there toilets on every floor? TICK ANY ONE RESPONSE (✓) AGAINST ONLY ONE CODE	1- Yes – all floors have toilets	
		2- Yes - Some floors have toilets	
		3- Yes – Only One floor has toilet/s	
		4- No - No floors have toilet	
C4	Did the toilet you surveyed have running water?		
C5	Do you see housekeeping/toilet cleaning staff inside/near the toilet area that you surveyed?		
C6	Do you see a cleaning chart put up somewhere inside the toilet you surveyed, to indicate periodic cleaning?		
C7	Is there a power backup/genset available in the court premises?		

Annexure 1

D. COURTROOMS			
D1	Number of Courtrooms in the complex	Record total number-	
D2	Number of courtrooms visited (visit 5% Courtrooms in Metro cities and 10% of the Courtrooms in other towns)	Record total number-	
D3	Of the courtrooms visited, how many had the following provisions outside it: WRITE NUMBERS	1-Electronic case display system screen	
		2-Announcement	
		3-Notice Board	
		4-Sign with courtroom number	
		5-Judge's name	
		6-Judge's Rank	
D4	In the Courtrooms, do lawyers have the following provisions?	Table	
		Chair	
D5	Is there a witness box in the courtroom? (box like construction where witness stands when called upon by the judge)	(Y/N)	
D6	Is there a box for the accused in the courtroom? (box like construction opposite witness box where accused stands when called upon by the judge)	(Y/N)	
D7	Does the judge have the following provisions?	1-Seat and Desk on an elevated/raised platform- Y/N	
		2-Table- Y/N	
		3-Wooden Chair- Y/N	
		4-Plastic Chair- Y/N	
		Yes/No	
		5-Executive Chair(with Cushioning) - Y/N	
		6-Computer/Laptop - Y/N	
7-Not visible -TICK			

E. AMENITIES (WITHIN THE COURT COMPLEX)			
	Following provisions present	Within/Inside court complex (YES/NO)	If NOT in Complex Outside court complex (YES/NO)
E1	1-Photocopiers		
	2-Typists		
	3-Oath Commissioners		
	4-Stamp Vendors		
	5-Canteen		
	6-Public Notaries		
	7-ATM		
	8-Bank Branch		
	9-Post office		
	10-Police Booth		
	11-First Aid Care		

F. TRANSPORTATION AND ACCESS			
F1	Is there designated parking for vehicles for general public/litigants in or around the court complex?		
F2	If yes, is this an authorised parking zone?	(Y/N/Do not Know)	
F3	Is the court complex accessible via public transport?	(Y/N)	

SPACE BELOW FOR ANY SPECIFIC OBSERVATION/COMMENTS

Annexure 2: Survey of Physical Infrastructure of District Courts in India – 2018 – Litigant Module

NAME OF SURVEYOR

SECTION 1: GENERAL INFORMATION

Date of Visit - Start time of the Survey- End time of the Survey	Name of Court Complex	State	District	Town/Village
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SECTION 2: FACE TO FACE INTERVIEW WITH LITIGANT

Sl. No.	Full Name	Mobile No.	Address - Place of Residence - Town/Village	Age	Gender	Disability/ impairment [observe]	
					(M/F/T)	Move-ment-Y/N	Visual-Y/N
Col 1	Q2	Q3	Q4	Q5	Q6	Q7	Q8
1							
2							
3							

Sl. No	Education [Ref code list]		Commuted to Court by?	Was it easy to reach court from where you were dropped/ got down? - Y/N	Was it easy to locate the office/Court-room that you were supposed to visit?		Did you have to walk far to get to office/ courtroom?	Did you have to use Stairs to get to courtroom?	
	Code [Ref code list]	If 2 and above coded at Q.9 - ASK Can you read/write any Language? Yes/No	[Ref code list]		Y/N	How did you locate? [Ref code list] - MULTIPLE RESPONSE POSSIBLE	Y/N	Y/N	If Yes was it easy to climb Y/N
Col 1	Q9	Q10	Q11	Q12	Q13	Q14	Q15	Q16	Q17
1									
2									
3									

Q9code for Education- Illiterate-1, Literate but no formal schooling-2, Upto Primary-3, Upto High school-4, Upto Secondary-5, Graduate-6, Post Graduate-7

Q11Codes for commuted to the court-Two wheeler-1, Four wheeler-2, Cycle-3, Tractor/Jugaad-4, Friend/Relative/Lawyers vehicle -5, Animal drawn carriage-6, Walk-7- Cycle Rikshaw-8, Train/Metro-9, Bus -10, Taxi -11,Tractor/Jugaad-12, Three wheeler-13, Animal drawn carriage -14,Other-15

Q14Codes for locating- Lawyer guided-1, Saw the guide map/layout map-2, Asked passer by-3, Asked court officials-4, Asked vendors/shops-5, Others-6

Annexure 2

Sl. No.	Where did you wait for your case's turn? [Ref code list]	Did you find a place to sit while waiting? Y/N	How can waiting area be made more comfortable for you [Ref code list] MULTIPLE RESPONSE POSSIBLE	How did you find out when your number came while waiting? [Ref code list]	Was the waiting area well lit? Y/N	Were the waiting areas well-ventilated? Y/N	Are you aware of any free drinking water in the complex? Y/N/DK	Are you aware of any canteen facility in the complex? Y/N/DK
Col 1	Q 18	Q 19	Q 20	Q 21	Q 22	Q 23	Q 24	Q 25
1								
2								
3								

Q18 Code for waiting area- In the **designated** waiting area/room-1, Seating available anywhere in the court building-2

CROSS CHECK Q.18 CODE WITH FACILITY CHECK LIST Q C.1

Q20 Code for - Improve waiting area- More seats-1, Fans/AC/Cooling - 2, Better lighting - 3, Better cleanliness - 4 Access for differently abled - 5, Others [Mention...]-6

Q21 Code for turn-Announcement-1, Token display-2, Lawyer informed-3, Court staff informed-4, Friend/relative informed-5

Sl. No.	Do you know if there are washrooms in the complex? Y/N/DK	IF YES IN Q 26-Did you use any washroom in the complex?		IF YES Q 27 - What can be added to make washroom more usable? [Ref code list]	What changes would you like to see in the complex so that you can find where you want to go easily and comfortably? [Ref code list]
		(Y/N)	If yes IN Q 27-was it Clean/Usable? (Y/N)		
Col 1	Q 26	Q 27	Q 28	Q 29	Q 30
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

Q 29 Code- Running water-1, Flush facility-2, Liquid soap-3, Tissue paper-4, Mirror-5, Exhaust fan-6, **others [mention...]-7**

Q 30 Code- Proper display of Case No. and related Court room No.-1, Proper Signage to Locate Waiting Area - 2, Proper Signage to Locate Court Rooms - 3, Proper Signage to Locate Toilets - 4, Proper Signage to Locate Drinking Water Point - 5, Proper Signage to Locate Help Desk - 6, **Others [mention]-7**

Annexure 3: Explanations on Parameters and Sub-Themes

Parameter	Sub-Theme	Questions from Survey	Explanation
Getting There	Parking	Is there a designated parking for vehicle for general public/litigants? (F1)	
	Public Transport	Is the court complex accessible via public transport? (F3)	
	Commute for Litigants	Commuted to court by (Q11)	We have grouped trains, metro, rail, auto-or-cycle rickshaws, buses and taxis as public transport and vehicles owned by friends, relatives or lawyers as private transport. Walking has been captured as a separate option. Others include jugaad, animal drawn carriage and tractor.
Navigation	Guide Maps	Is there a floor map/guide map provided at the entry and in the main court building? (A10+B9)	A guide map should be present both at the entrance of the court complex as well as in the court building.
	Help Desks	Is there a help desk at the entrance or in the main court building with a person (wo) manning it? (A13+A14+B11+B12)	A working help desk is one where there is a person (wo) manning it at either the entrance or anywhere inside the court building.
	Litigants Located Courtroom	How did the litigants locate the courtroom and the changes according to them which would aid in better navigation? (Q14+Q30)	
Waiting Area	Number of Waiting Areas	How many designated waiting areas does the courtroom have? (C1)	
	Suggestions for Improvements	How can the waiting area be made more comfortable for the litigants? (Q20)	
Hygiene	Washrooms	Are there washrooms for men and women? Does it have running water and is there a provision for regular cleaning? (C2.1 + C2.2+C4+C5/C6)	A frequently cleaned washroom with facility of running water should be separately available for men and women.
	Improvements	What are the additions that will make the washrooms fully functioning? (Q29)	
Barrier-Free Access	Mobility	Is there a ramp present at any one entry point in the court building or is there a lift?(B3+(B5/B6))	Ramp should be present at the entry of the court complex. Within a court building if there are no ramps, then there should at least be working lifts.
	Visual-Aid	Are there provisions for persons with visual impairment at the entry and in the court building?(A12+B10)	There should be tactile pavements and notices in braille both at the entrance and within the court buildings.
	Washrooms	Is there a washroom for persons with disabilities? (C2.3)	
Case Display	E-Case Display Boards	Is there an e-case display board in the court building and in the waiting area? (B13+C2.7)	There should be case information displayed in common areas as well as in other parts of the court building.
	Finding Case number	How did you find out when your case was being heard? (Q21)	
Amenities		What services are available in the court complex? (E1)	The amenities can be available anywhere within or outside the court complex.
Security	Baggage Scan	Is there a working baggage scan at the main entrance or at the entry to the court building? (A8+A9 or B8+B9)	At least one provision for a working baggage scan must be made available.
	Fire Extinguisher	Is there a fire extinguisher anywhere in the court building? (C2.8)	
	Emergency Exit Sign	Is there an emergency exit sign anywhere in the court building? (C2.9)	
Website	District Court Website	How informative is the website?	
Litigant Profile	Education	1. Litigants who did not know how to read and write have been recorded as illiterate.	
		2. Basic literacy includes litigants who have no formal school but are literate and those who have completed	
		3. Completed school includes litigants who have completed upto secondary education including high school.	
		4. Graduate includes litigants who have completed graduation or post-graduation.	

For conducting data analysis, any data pertaining to courtrooms (i.e. from QD1 - D7) since only 10% of the total number of courtrooms were surveyed by the field researchers. The reason behind omitting this data set is because the sample size is not sufficient to make conclusive findings about the quality of all courtrooms.

Questions that are not relevant for analysing the user experience have been omitted from the analysis.¹ In the litigant questionnaire, personal information of the litigants that were collected with prior consent have not been analysed. Questions that were too subjective have been omitted.²

¹ Questions from the survey that have been omitted : A2, A4, A5, A7, B1, B2, B4, C1.2, C2.4, C2.5, C2.6, C2.7, C3, C7, F2)

² Responses from Q10, Q12, Q13, Q15, Q16, Q17, Q18, Q19, Q22, Q23, Q24, Q25, Q26, Q27, Q28 have not been analysed.

'+' sign indicates that only if both/all questions were answered in the positive the utility/facility was considered as available for the court to get a score on that parameter or sub-theme. '/' indicates that if either of the utility/ facility was available, i.e. either of the questions were answered with a yes, the court got a score on that parameter or sub-theme.

Annexure 4

Overview of States and Their District-Wise Performance Against Each Reporting Parameter

In the table, each parameter has been assigned an equal weightage to compute percentage score and overall performance for every district court complex. The last

column indicates the total score of the district court complex based on its overall score. The states appear in alphabetical order in the tables below.

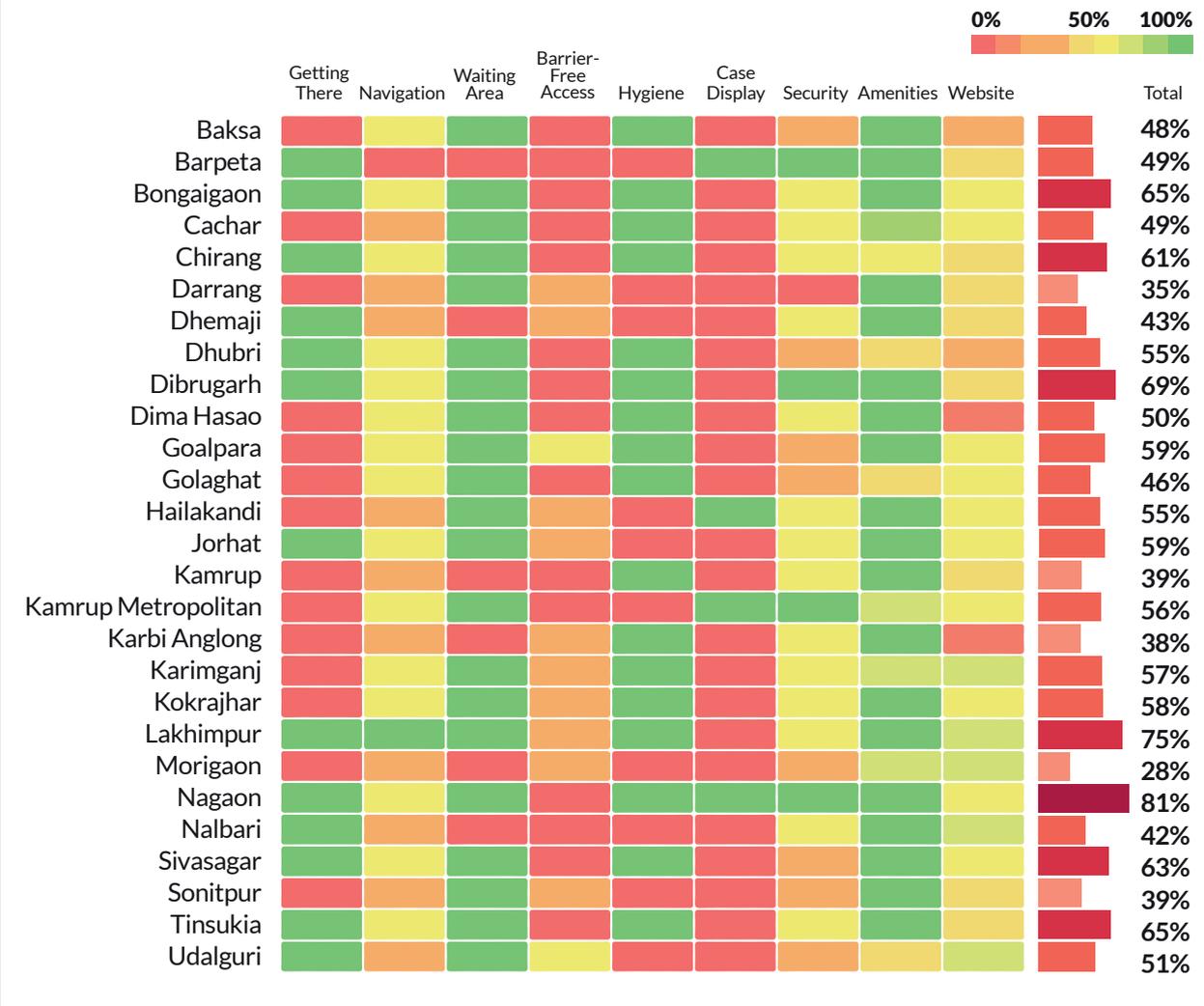
ANDHRA PRADESH



ARUNACHAL PRADESH



Note: The district court complex of Lower Dibang Valley could not be surveyed.



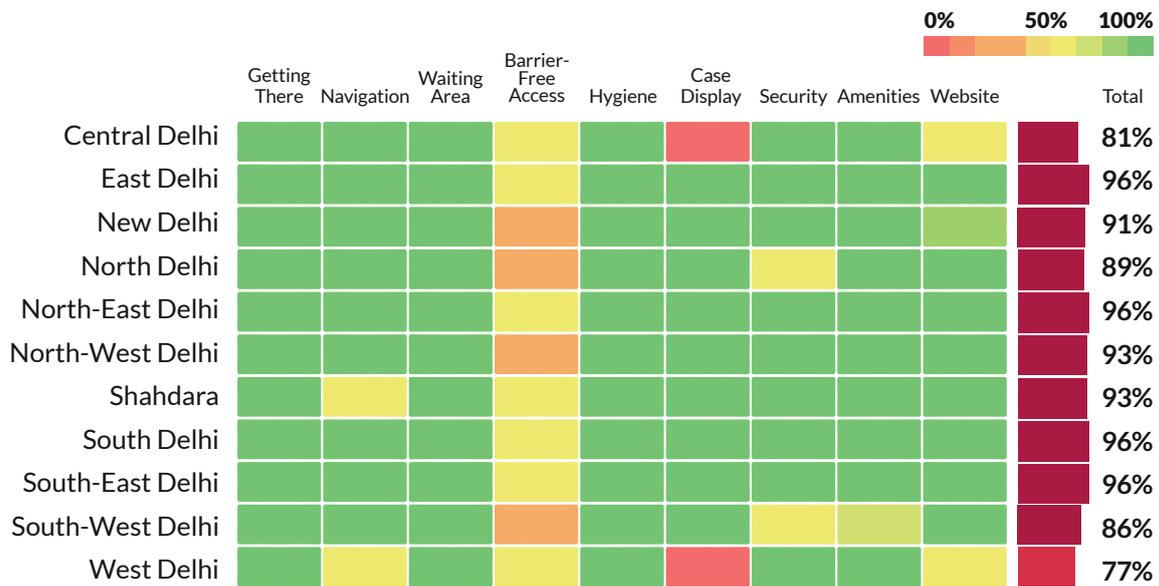
BIHAR



CHHATTISGARH



DELHI

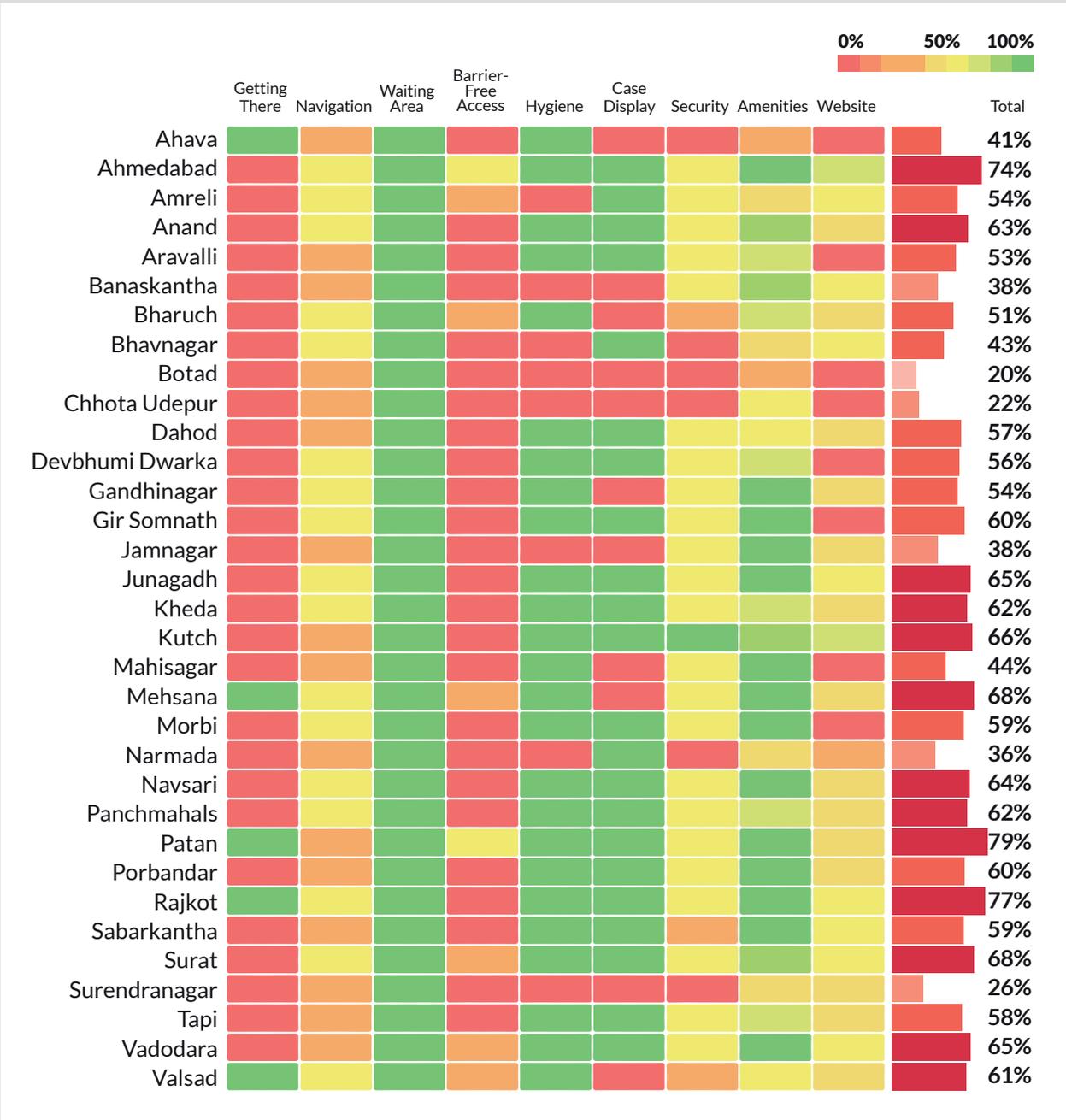


Note: The data for District Court of Shahdara has been captured and recorded in the survey as District Court of Karkardooma.

GOA



GUJARAT

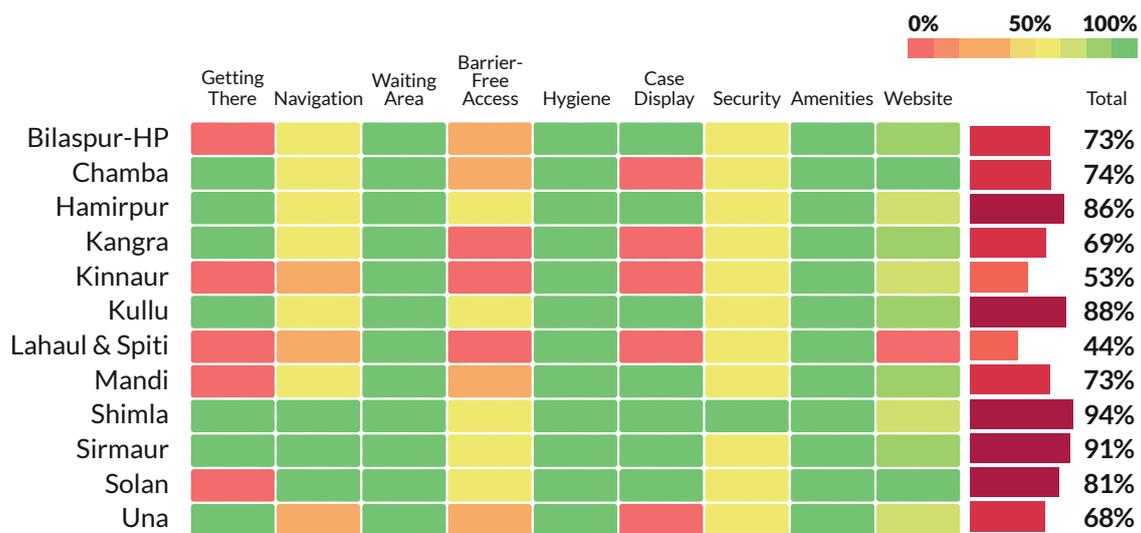


HARYANA



Note: The website of the district court complex of Charkhi Dadri was not functioning on the date of the survey.

HIMACHAL PRADESH



JAMMU & KASHMIR



JHARKHAND

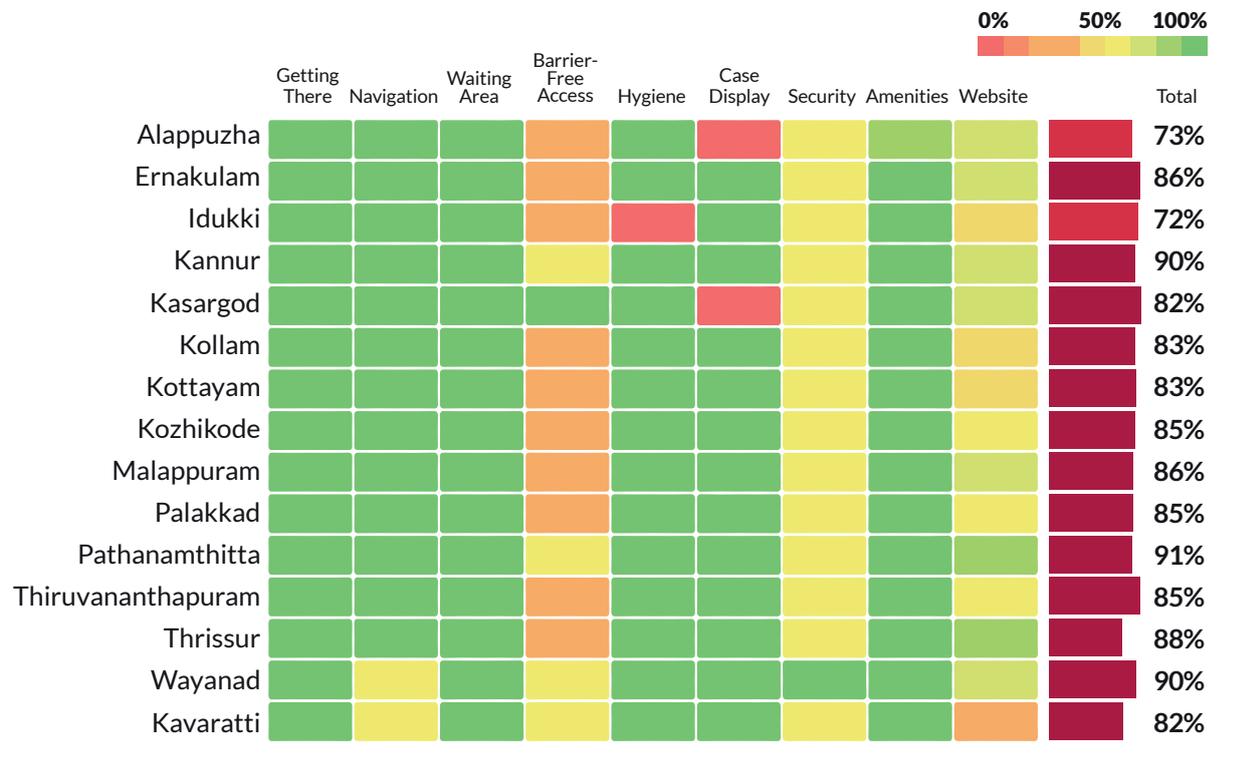


KARNATAKA

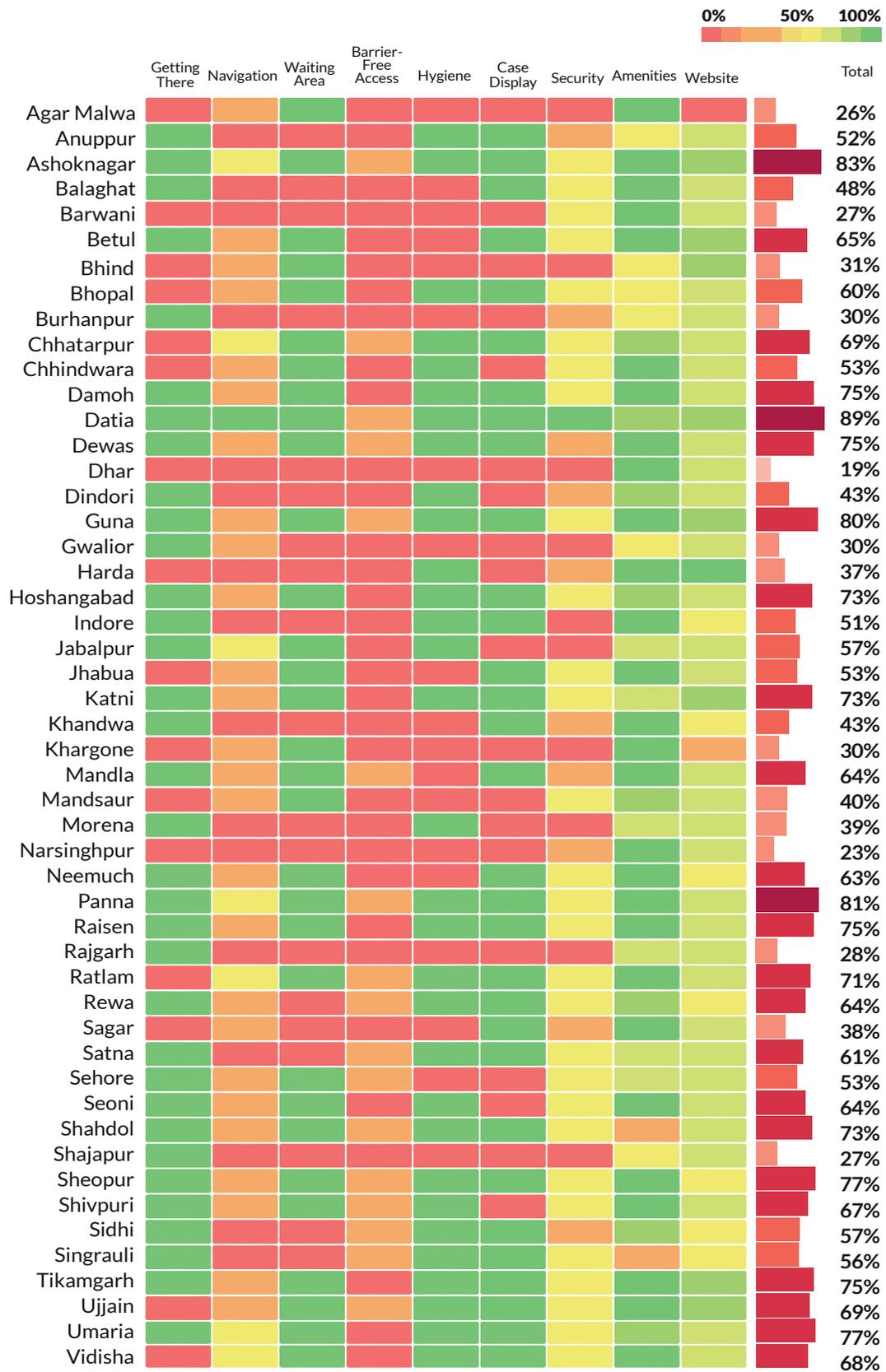


Note: The District Court of Bengaluru Rural is situated in Bengaluru City in the annex of the City Civil Court Complex, Bengaluru. Hence it has been captured as part of the physical infrastructure survey of the District Court of Bengaluru.

KERALA

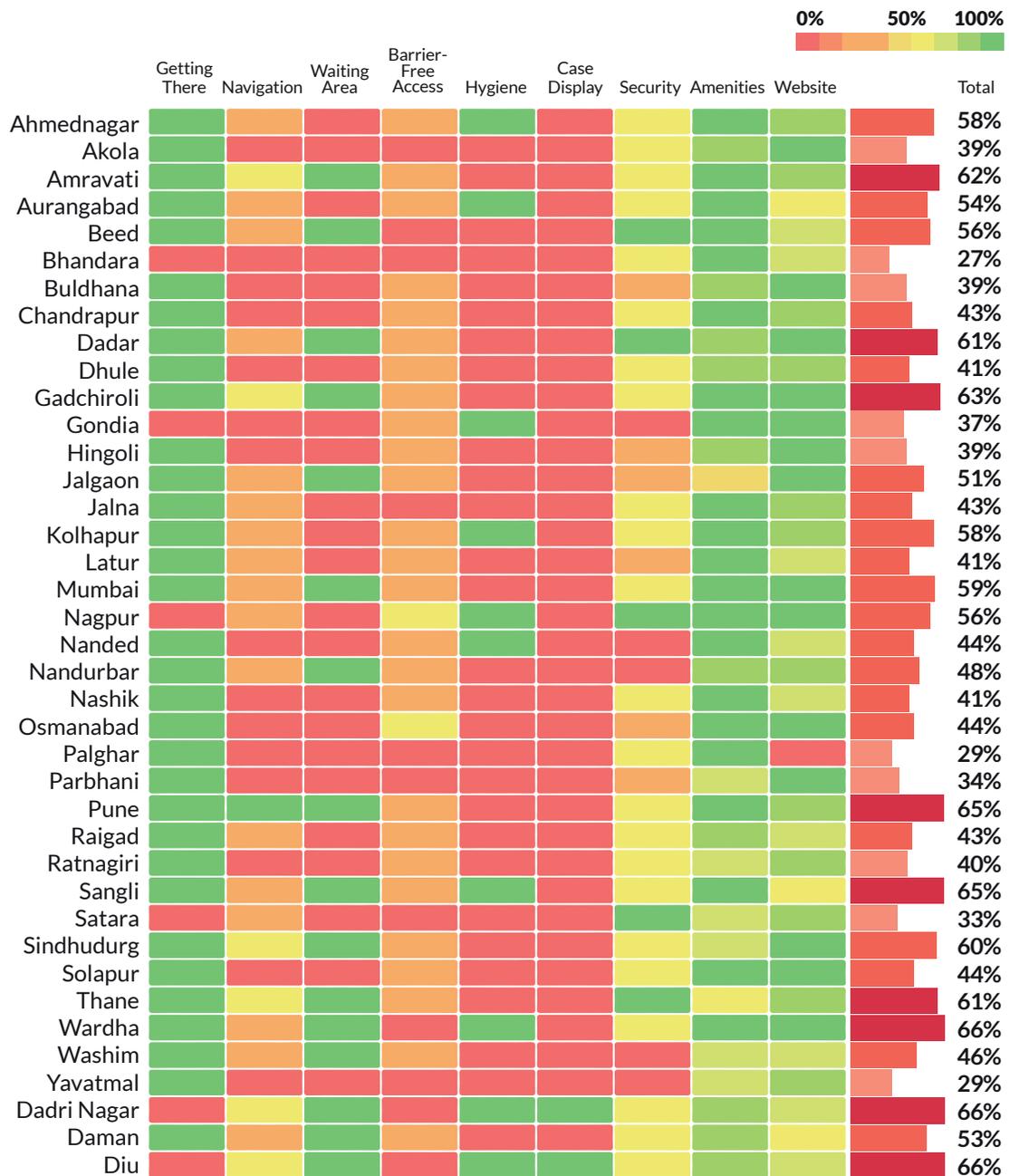


MADHYA PRADESH

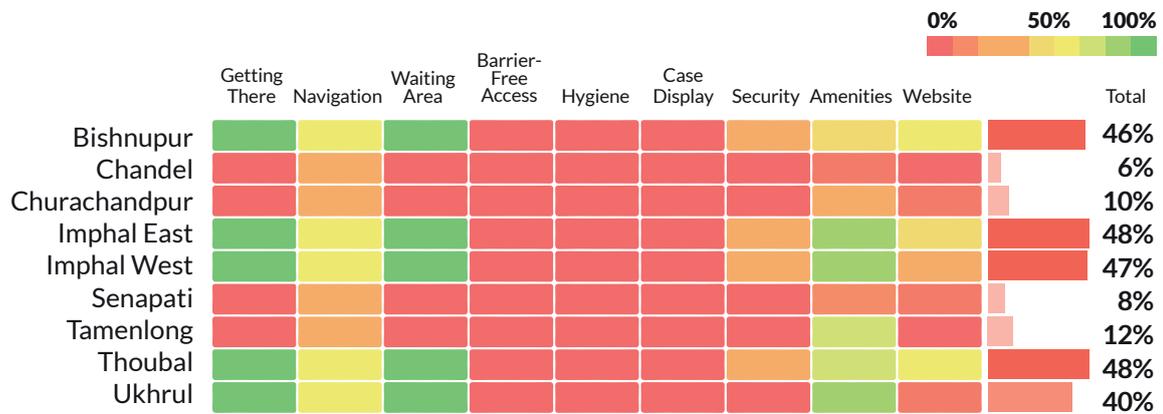


Note: Alirajpur District Court Complex could not be surveyed and hence has been assigned the colour corresponding to lowest value. The district court of Agar Malwa was surveyed but the website was not available for inspection. As this district was recently carved out of Shajapur, maps representing its exact boundaries were not found during the design of the report.

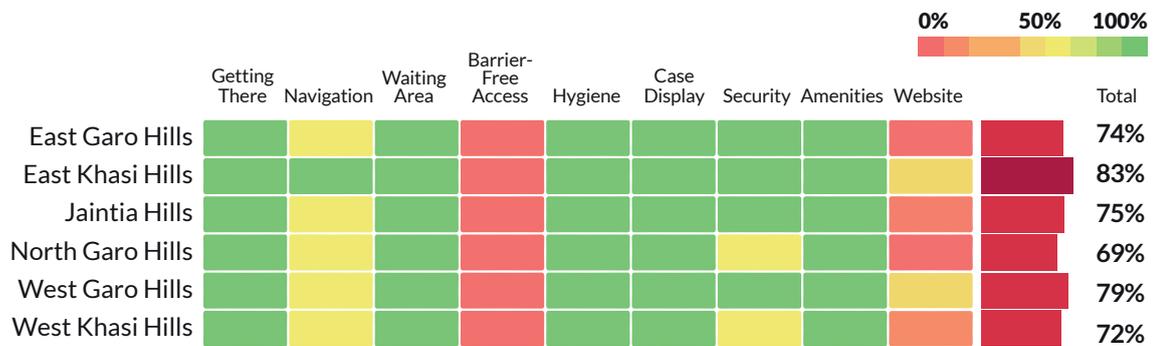
MAHARASHTRA



MANIPUR



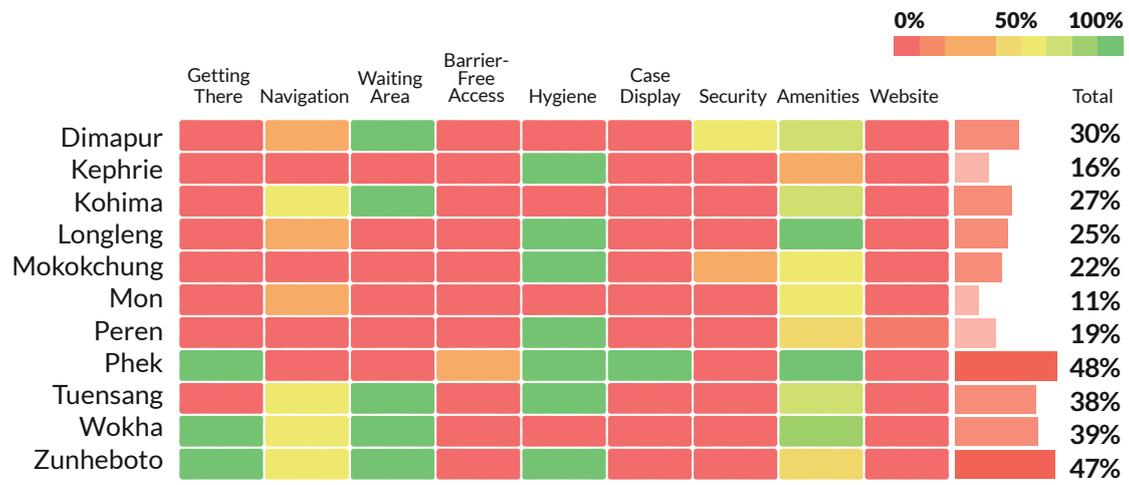
MEGHALAYA



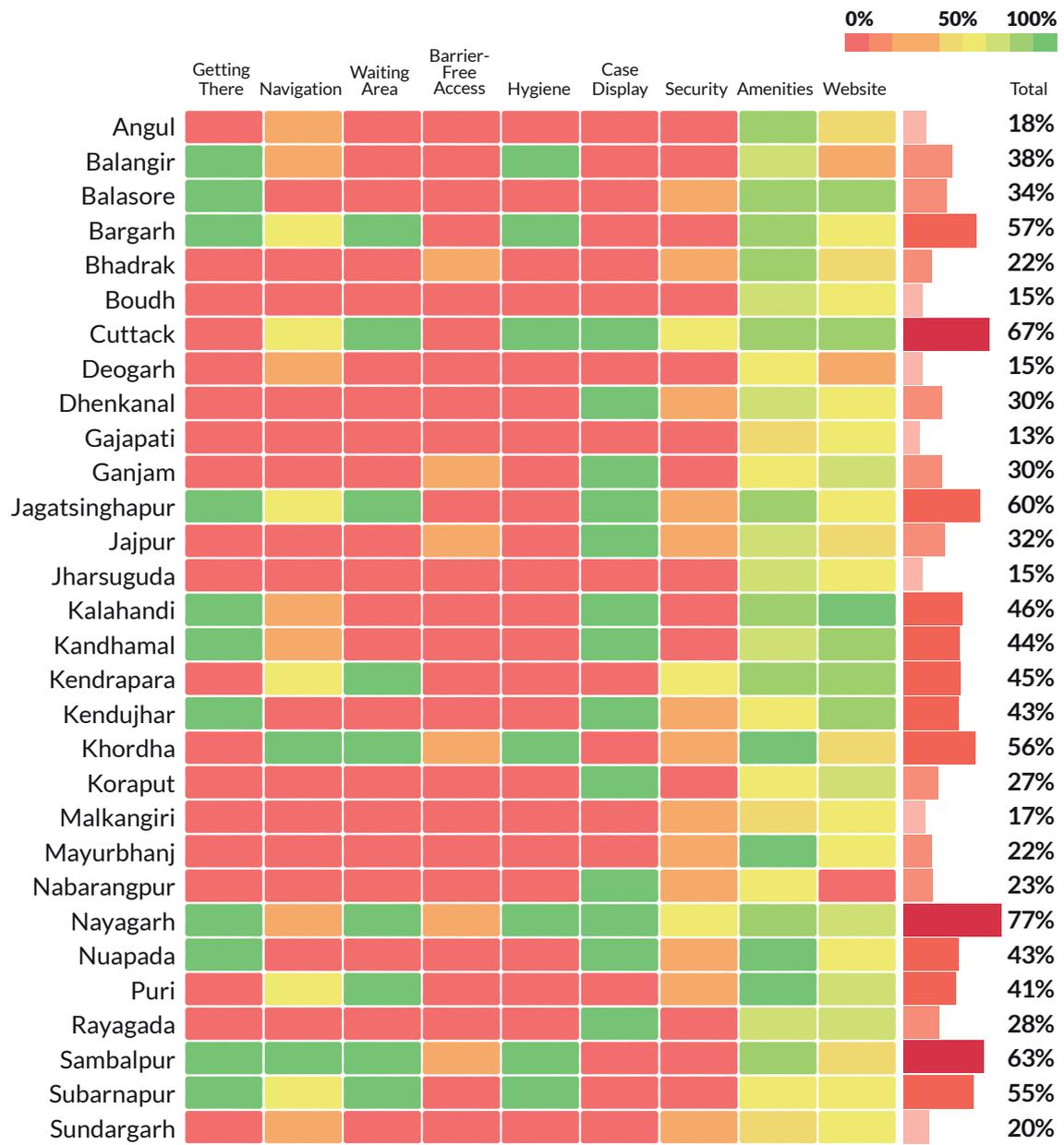
MIZORAM



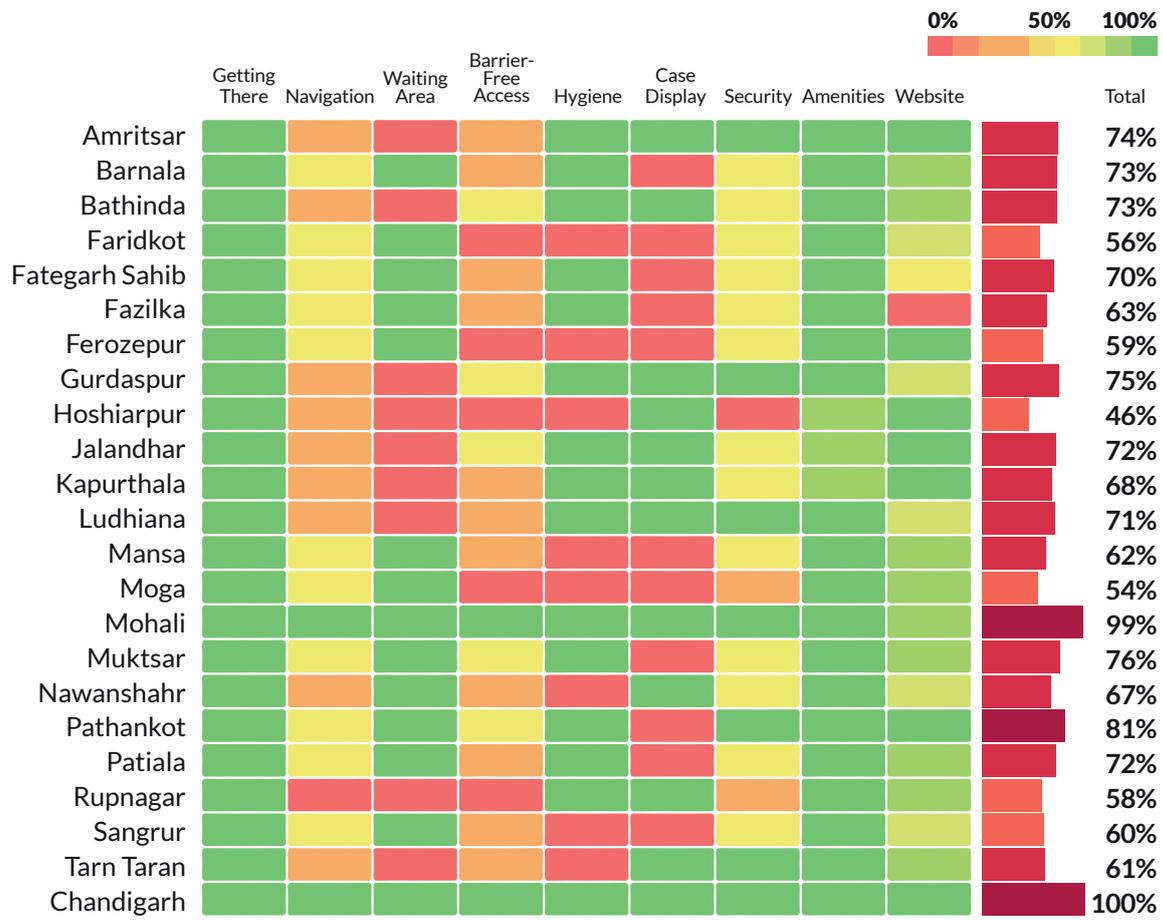
NAGALAND



ODISHA

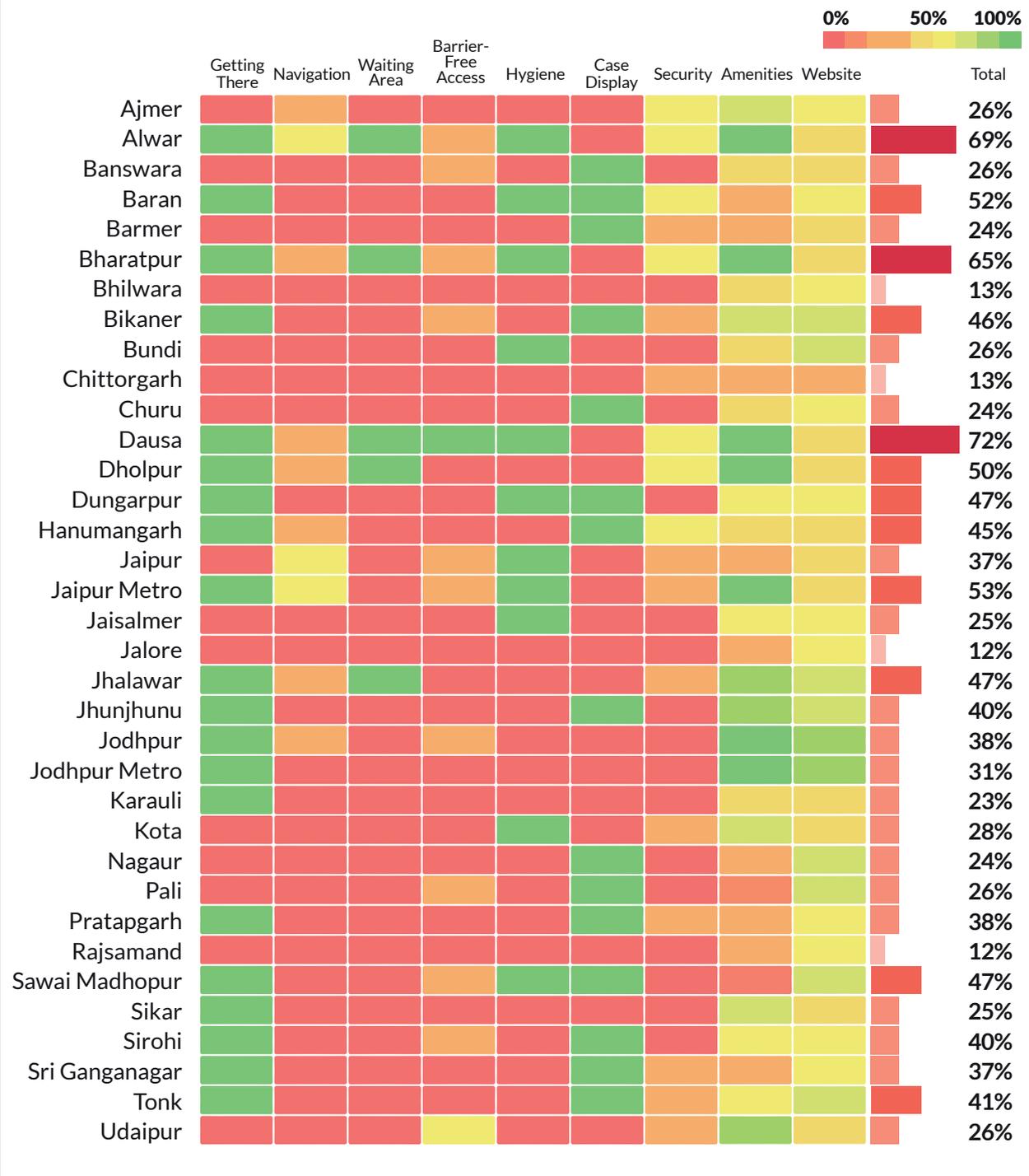


PUNJAB

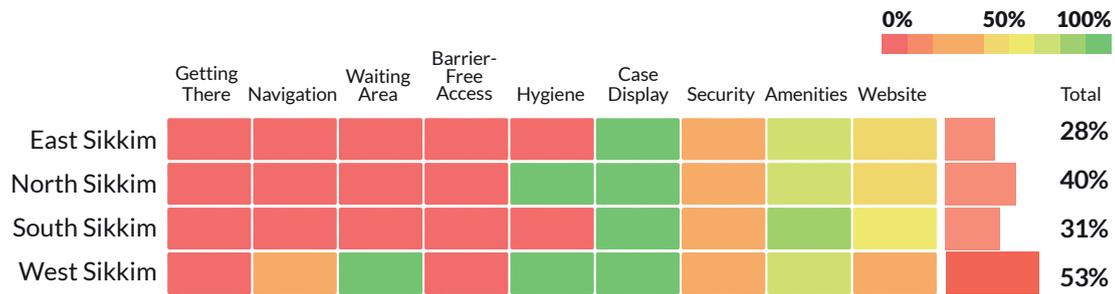


Note: The data of District Court of SAS Nagar has been captured and recorded in the survey as District Court of Mohali.

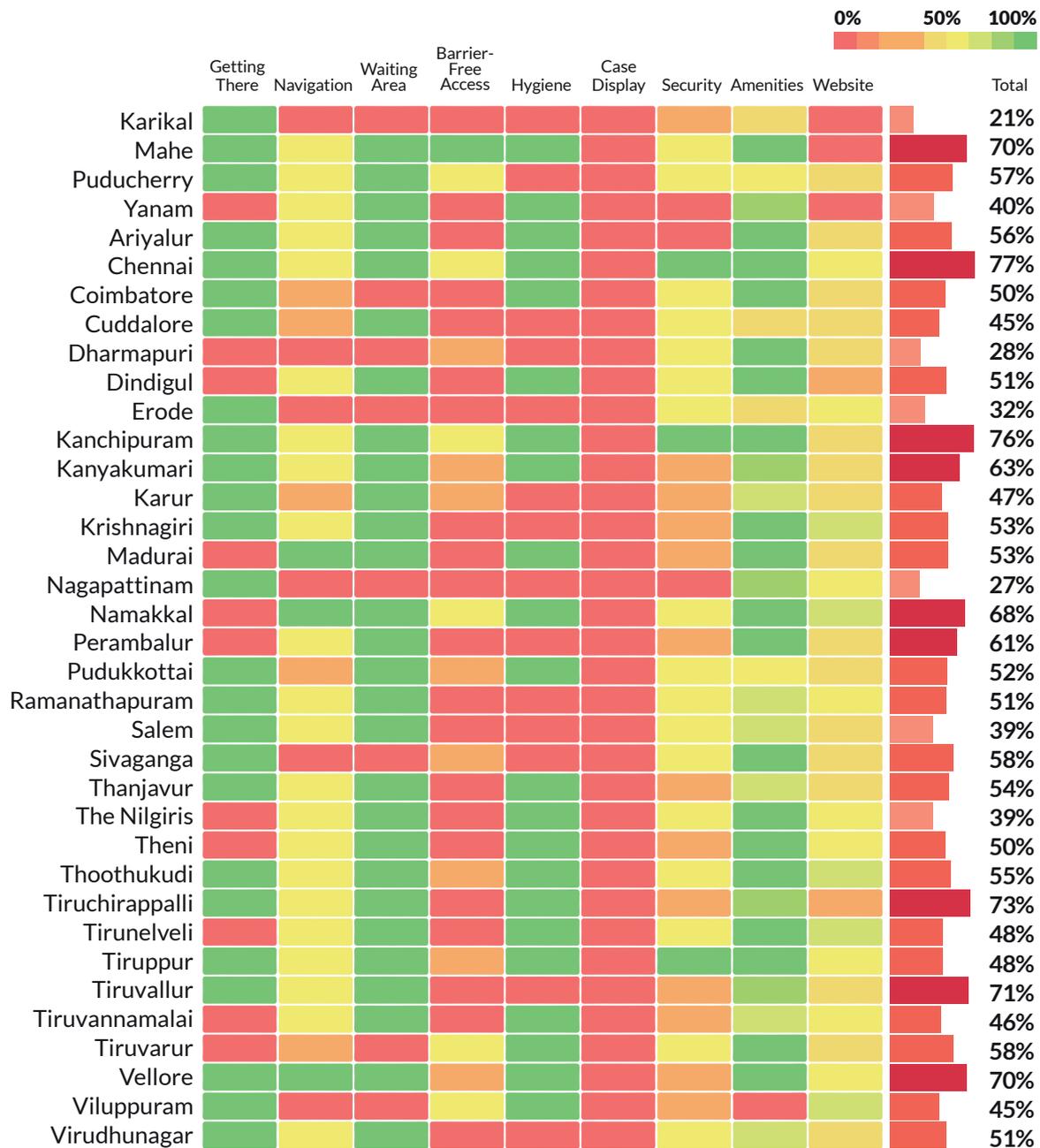
RAJASTHAN



SIKKIM



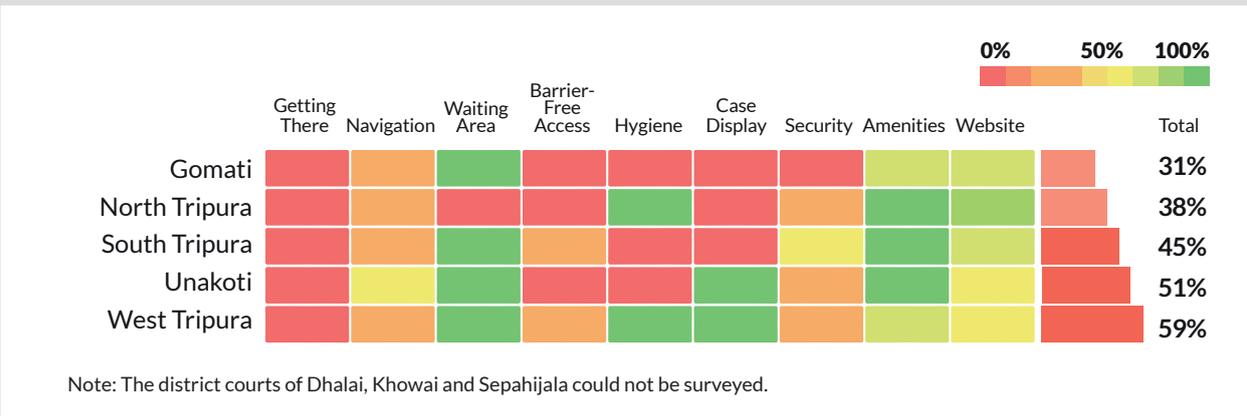
TAMIL NADU



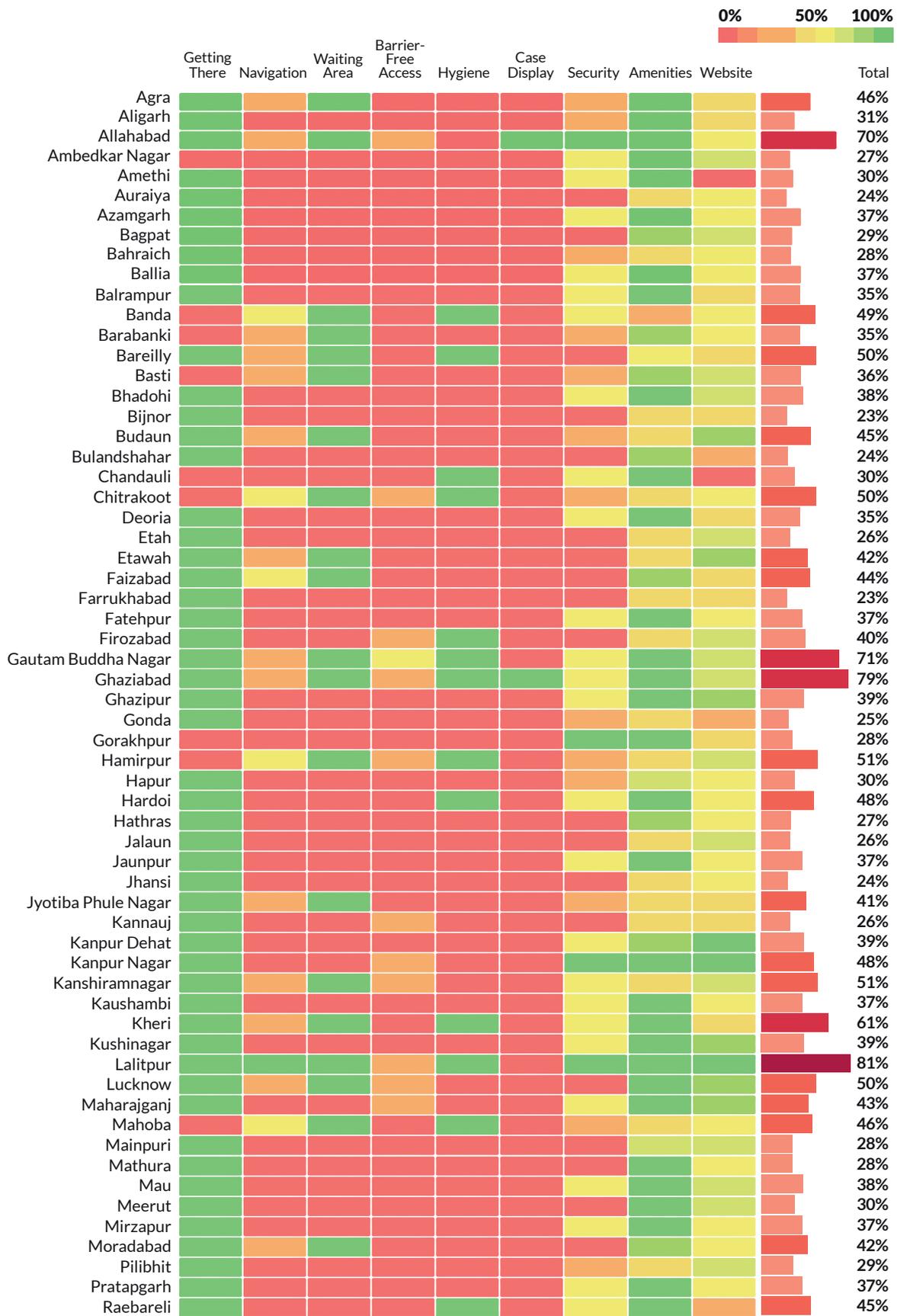
TELANGANA



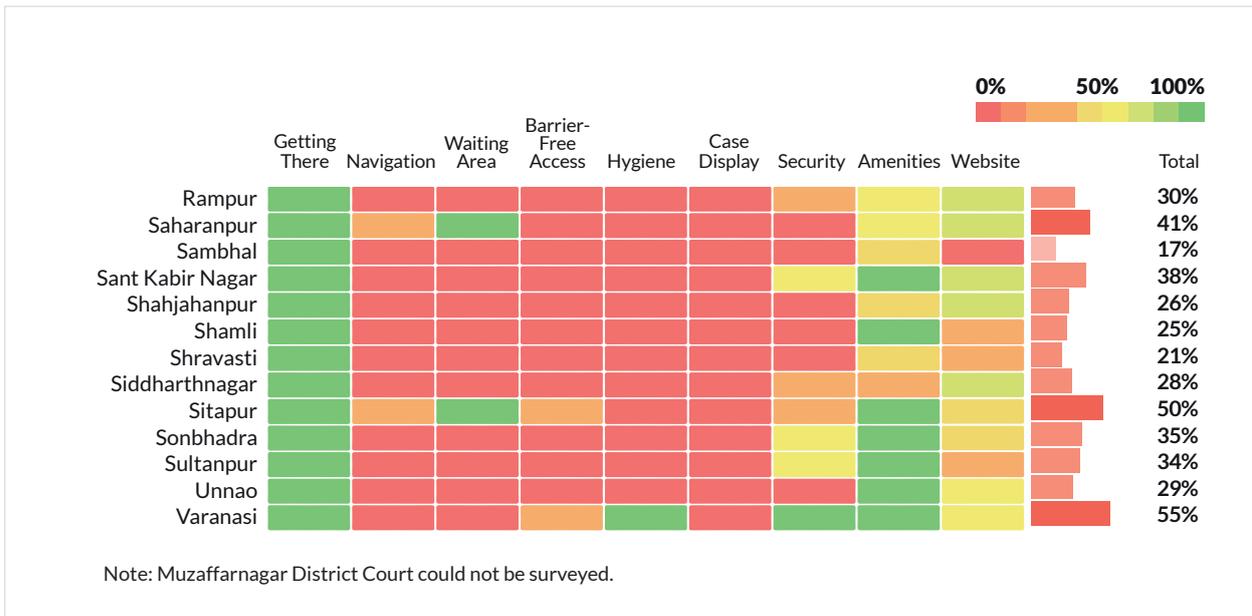
TRIPURA



UTTAR PRADESH



Continued on Next Page



WEST BENGAL



Note: The boundaries for the district court jurisdiction of Kalimpong were not available at the time of designing this report.





About Us

This report has been authored by Sumathi Chandrashekar (Associate Fellow), Reshma Sekhar and Diksha Sanyal (Research Fellows). This study is a part of the Justice, Access, and Lowering Delays in India (JALDI) project, supported by TataTrusts, which is a multi-year project that aims to advocate for and implement evidence-based reforms to eliminate the existing backlog in Indian courts, and ensure that they are disposed within reasonable timelines. The JALDI project is a part of the Vidhi Centre for Legal Policy, an independent legal think-tank doing legal research to make better laws and improve governance for public good. For more information, see www.vidhilegalpolicy.in

Contact Us

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